

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84975 of 2024

Arising Out of PS. Case No.-181 Year-2022 Thana- BELSAND District- Sitamarhi

Md. Meraj S/o Md. Saeem @ Md. Saim R/V- Pararahi (Pandrahi), P.S-
Belsand, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 24-01-2025 Heard Mr. Pushpendra Kumar Singh, learned
counsel appearing on behalf of the petitioner and Mr. Dilip
Kumar No. 1, learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Belsand P.S. Case No. 181 of 2022 for the offence punishable
under Sections 341, 354, 307 and 504/34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. As per the allegation made in the F.I.R., the
petitioner is said to have fired on the informant with an intention
to kill him but anyhow he was saved. Prior to lodging of the
F.I.R., he had lodged sanaha before the Court of Sub Divisional
Magistrate, Belsand.



4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and he has falsely been implicated in this case. He further submitted that the parties are co-villagers and due to trivial dispute, the petitioner has been made accused in the present case. He also admits that seven criminal cases are pending against the petitioner. Both the parties are on inimical terms. Learned counsel in Para-10 of the bail application has stated that the informant had put the house of the petitioner on fire, but no case was lodged on behalf of the petitioner. The petitioner is in custody since 17.05.2024.

5. Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that petitioner is involved in almost seven criminal cases, however, in respect of Sitamarhi P.S. Case No. 964 of 2015 registered under Section 302/34 of the Indian Penal Code, petitioner has not given any specific information as to whether he is on bail or he is in custody or the trial is still pending, however considering the nature of allegation made in the present F.I.R., I find that the petitioner has, prima facie, made out a case to be released on



bail being in custody since 17.05.2024.

7. The petitioner, above named, is directed to be enlarged on bail, on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Sitamarhi in connection with Belsand P.S. Case No. 181 of 2022, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

8. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.



9. The bail application stands disposed of.

(Purnendu Singh, J)

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