

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12745 of 2026

Arising Out of PS. Case No.-351 Year-2025 Thana- NARPATGANJ District- Araria

Md. Ashlam @ Karu S/o Sarfuddin R/o Village- Dhangama Ward No.10, P.S- Mahalgaon, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

4 06-05-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Narpatganj P.S. Case No. 351 of 2025 registered for the offences punishable under Sections 303(2), 103(1) of the B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, the elder brother of the informant went to attend call of nature outside then he found that the buffalo, worth Rs. 1,25,000/-, was not there. Thereafter, the elder brother, after informing his family members, went along with co-accused Md. Gaffar for searching the buffalo. It is alleged that, on the intervening night of 23.09.2025 and 24.09.2025 at about 01:30 A.M., four to five unknown persons



were trying to load the said buffalo on a pick up van. The brother of the informant, namely Md. Sohrab, tried to catch those persons, one unknown person fired upon the elder brother of the informant by means of country made pistol, which hit him and Md. Gaffar, who was accompanying the elder brother of the informant, managed to escape from the said firing. The informant went to the place of occurrence and found his elder brother, Md. Sohrab, lying in injured condition with the bullet injury in his chest. He was brought to the hospital, where the doctor declared him dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has been further submitted, that although petitioner was taken in custody but till date no TIP of the petitioner has been held, chargesheet has been filed without holding the TIP. Moreover, there are call details as well as electronic evidence as regards talking with other co-accused persons and also presence of the petitioner at the place of occurrence, but the veracity of the same has to be tested during trial. It has further been submitted that the other material against the petitioner is his self confessional statement before police while in police custody, which has got no evidentially value. Learned counsel for the



petitioner has further submitted that although he was made accused in two more cases, but in bail on those cases. It has lastly been submitted that petitioner is in custody since 02.10.2025 and there is no allegation of tampering against him.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the facts and circumstance of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Narpatganj P.S. Case No. 351 of 2025 with a condition:-

(i) The petitioner is directed to co-operate in the trial and be well represented on each and every date fixed in the trial and failure to appear on two consecutive dates, the court below would be at liberty to cancel the bail bonds of the petitioner.

(ii) One of the bailors will be close relative of the petitioner.

(iii) The petitioner would not tamper with the evidence, and if there are complaints against the petitioner in this regard the court below would be at liberty to cancel the bail



bonds of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence in future his bail bond would be automatically cancelled.

7. The application stands allowed.

(Praveen Kumar, J)

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