

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29601 of 2026

Arising Out of PS. Case No.-207 Year-2021 Thana- UCHKAGAON District- Gopalganj

Mahboob Mahmood Alam @ Mahmood Alam @ Mahammad Alam S/o Nazir
Mian R/o Village/At - Jangaliya Ward No.18, P.S.- Gopalganj Town, District -
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

4 15-07-2026 Heard learned senior 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 Uchkagaon P.S. Case No. 207 of 2021 registered for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 Arms Act.

3. The allegation, as per the FIR, is of commission of murder of the son of the informant by the FIR named accused persons including the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case merely on suspicion. It has further been submitted that



as per the FIR there is an allegation of last seen with the petitioner. It has further been submitted that witnesses examined in paragraph 50 and 51 have stated that the assailant of deceased is co-accused Asad Numani @ Tigar. It has further been submitted that although there are two injuries (gunshot injuries) on the person of deceased, but the same is one entry wound and connecting to exit wound and as per the witnesses, the same is attributed to the co-accused Asad Numani @ Tigar. It has further been submitted that co-accused Jawed Alam @ Jawed Akhtar, having similar allegations has been extended the privilege of bail by a Coordinate Bench of this Court by order dated 14.12.2022 passed in Cr. Misc. No. 69820 of 2022. It has further been submitted that earlier two chargesheets were filed in this case, but the investigation was kept pending against the petitioner. It has further been submitted that the petitioner is also accused in three other cases, but not of similar nature and he is on bail in those cases. Lastly, it has been submitted that the petitioner is in custody since 03.12.2025 and charges have been framed in this case and petitioner undertakes to cooperate in the trial.

5. Learned APP for the State as well as learned counsel for the informant has vehemently opposed the prayer



for bail of the petitioner. It has further been submitted by learned counsel for the informant that the petitioner remained absconding for several years and it has further been submitted that the co-accused persons, who were allowed bail by Coordinate Bench of this Court, their prayer for bail were initially rejected. It has further been submitted that the petitioner was apprehended only after direction of this Court came to be passed in criminal writ jurisdiction.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances 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 of A.C.J.M.-I, Gopalganj, in connection with Uchakagawn P.S. Case No. 207 of 2021 with following conditions-

(i) The petitioner is directed to cooperate in the trial and be well represented on each and every date fixed in the trial and upon failure to appear on two consecutive dates without plausible reasons, the court below would be at liberty to cancel the bail bonds of the petitioner.

(ii) It is further directed that One of the bailors should



be close relative of the petitioner.

(iii) It is further directed that the petitioner will not tamper with the evidence and if he does so, the prosecution would be at liberty to file appropriate application for cancellation of bail bonds.

8. The application stands allowed.

(Praveen Kumar, J)

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