

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32764 of 2026

Arising Out of PS. Case No.-43 Year-2026 Thana- CHOUTARWA District- West Champaran

Shamshul Hoda S/o Bahadur Mian R/o Village - Moti Tola, Ward No. 9,
Police Station - Chautarwa, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Kr Singh No. 1
		Mr. Ashok Kr. Singh, Adv.
For the Opposite Party/s	:	Mr.Narendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

3 15-07-2026 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is languishing in jail custody since 29.01.2026 seeking regular bail in connection with Chautarwa P.S. Case no. 43 of 2026, registered for the offences under Sections 109, 329(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the allegations in the prosecution case, the petitioner allegedly fired on the back of the informant and he sustained injury.

4. The learned counsel for the petitioner submits that there are allegations and counter-allegations by both the parties who are agnates and cognates of each other. It is submitted that



the injury which has been found on the person is simple in nature as mentioned in paragraph-43 of the case diary. Lastly, he submits that he had one criminal case against him in which he has already been acquitted by the Trial Court as mentioned in paragraph-3 of the application.

5. On the other hand, though the learned A.P.P. for the State has stated that petitioner had fired, but he also relies upon paragraph-43 of the diary stating therein that injury has been found to be simple in nature.

6. Taking into consideration the entire facts and circumstances of the case finding the injury upon the informant to be simple in nature and dispute between the relatives/agnates and cognates. Prayer for bail is allowed. let the petitioner above-named, is directed to furnish bail bond and on doing so, the court below shall release the petitioner on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial magistrate 1st, Bagaha, West Champaran P.S. Case No. 43 of 2026 subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial.
- (ii) One of the bailors must be close relatives of the



petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner

(Raj Kumar, J)

prachi/-

U		T	
---	--	---	--

