

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51786 of 2025

Arising Out of PS. Case No.-15 Year-2022 Thana- MIRGANJ District- Gopalganj

Mashum Khan Son of Late Daroga Khan Resident of Village - Basatpur,
Police Station - Mirganj, District – Gopalganj ... Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-02-2026 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 302/341 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, four named and four unknown persons indiscriminately made firing as a result of which father of informant sustained injuries and died during course of treatment.

4. It is submitted on behalf of the petitioner that as per FIR, informant claims to be eye witness of the occurrence and it is specific case of the informant that co-accused Imtiyaz Khan and Amir Khan shot dead father of the informant. Petitioner is not named in the FIR. Doctor found only one wound of entry and another one wound of exit on the person of deceased and thus it falsifies entire prosecution version. Similarly situated co-accused has already been allowed bail by this Court vide order passed in Cr.Mis.No. 41996/2022.

5. Learned counsel for the State opposes the prayer for pre-arrest bail.

6. Considering the aforesaid facts of the case, prayer for bail of this petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let this



petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate X, Gopalganj in Mirganj Police Station Case No. 15/2022, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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