

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64320 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- KURSAKANTA District- Araria

Md. Hefaz S/O Md. Ismile R/O Village- Balchanda, Ward No. 006, P.S-
Kursakanta, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 21-01-2026

Heard the learned counsel for the parties.

2. This is an application for regular bail on behalf of the petitioner for the offences alleged under Sections 310(2)/311 of the BNS and Section 27 of the Arms Act, registered in connection with Kursakanta P.S.Case No. 04 of 2025.

3. As per the allegation, while the informant and his family members were sleeping in his house, the informant was awakened by noise and noticed that some miscreants were planning to commit robbery. Thereafter when the informant, his son and grandson went to see his shop, 50 metres away from his house, 12-15 accused persons, stopped the informant and looted some cash from the locker of the shop. When the informant's son resisted the miscreants, one of them fired upon him, piercing a bullet into his stomach, in consequence of which he



suffered injury.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. He is in custody since 31.01.2025. Nothing has been recovered from his possession. His name has figured in para-56 of the case diary, in which a person resembling the feature of the petitioner was seen in the CCTV footage. It has been mentioned in para-56 of the case diary that the person who was in CCTV footage had similar physical appearance to that of the petitioner.

5. On the other hand, the learned APP Mr. Shailendra Kumar for the State, has submitted that the petitioner had conversed with the co-accused which transpires from the CDR mentioned in para-72 of the case diary.

6. The petitioner is in custody since 31.01.2025 i.e. for near about a year and not a single witness has been examined till date, whereas the charges have been framed in May, 2025

7. Considering the above facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M.1st araria in connection with Kursakanta P.S.Case No. 04 of 2025, subject to



the following condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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