

Arising Out of PS. Case No.-187 Year-2025 Thana- SAHEBPUR KAMAL District- Begusarai

... .. Petitioner

Versus

... .. Opposite Party

For the Petitioner : Mr. Prithish Kumar Lal, Advocate
For the State : Mr. Md. Mushtaque Alam, APP

3. As per allegation, the Petitioner along with the other co-accused came to the house of the Informant and started abusing and on protest, the co-accused, Shambhu Kumar prompted Alok Kumar to kill him. It is further alleged that the co-accused Alok Kumar and Shambhu Kumar each fired at the Informant causing injury to the right side of his chest and



consequently, he fell down.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the Informant and all the other co-accused are blood brothers and altercation took place on account of property dispute. He further submits that the Petitioner has no active role in the alleged offence. The main allegation is against the co-accused, Shambhu Kumar and Alok Kumar. There is no allegation of any overt act against the Petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has been made accused in one other case.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that there is no allegation of any overt act against the Petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a



copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Sahebpur-Kamal P.S. Case No.187 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S, 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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