

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 86085 of 2025

Arising Out of PS. Case No.-112 Year-2024 Thana- Panapur District- Muzaffarpur

Md. Kamruddin @ Makra @ Kamruddin Son of Rasul Miya R/O Village -
Sherna, P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Panapur
Kariyat P.S. Case No. 112 of 2024, instituted for the offences
under Sections 132, 109, 317(4) and 317(5) of the Bharatiya
Nyaya Sanhita, 2023 and Section 25(1-b)a, 26 and 27 of the
Arms Act.

3. Prosecution case, in short, is that on 13.09.2024,
while informant being Police Officer was engaged in vehicle
checking, in the meantime, he saw a person was coming on
motorcycle. When Police personnel signaled him to stop then he
started firing which hit the body of the Police vehicle. On
retaliation, Police personnel also fired which hit the knee of



both legs of petitioner. Thereafter, on search, one pistol and cartridges were found from the possession of the petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that no occurrence as alleged by the prosecution has taken place and only with a view to save their own skin, the prosecution party lodged the present false case. In fact, petitioner has sustained gunshot injury by the Police party. Charge-sheet has been submitted in this case. No Police men sustained any injury. Hence, no offence under Sections 317(5) 132 or 109 of the Bharatiya Nyaya Sanhita, 2023 is made out. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.08.2024 and has twelve criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of



the like amount each to the satisfaction of Court below/concerned Court in connection with Panapur Kariyat P.S. Case No. 112 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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