

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89144 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- JALALGARH District- Purnia

Md. Islam S/O Md. Sohrab @ Md Sohrab Ali R/O Vill.- Bhareli, p.s-
Jalalgarh, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Aditya Narayan Singh.1
For the informant : Mr. Pushpendra Kumar Singh
Ms. Divya Bharti

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 215-01-2026
1.

Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2.

This application, for grant of anticipatory bail, arises out of Jalalgarh Police Station Case No. 117 of 2025, dated 12.06.2025, disclosing offences punishable under Sections 103(1)/(2) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.
3.

The prosecution case, as per the First Information Report, is that on 11.06.2025, between 04:30 to 5 PM, while the informant, along with his brothers, Md. Saifuddin and Md. Mukhtar, was ploughing his field, the petitioner, along with ten named accused persons and 10-15



unknown accused persons, came there and started abusing them, stating them not to plough their field. Thereafter, the informant told them to show the paper of the land, upon which co-accused Md. Mursalim, on the orders of his father, started firing. One of the bullets hit the chest of Md. Saifuddin, due to which he fell down and when he was taken to the hospital, where he was declared dead.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this false case. He further submits that there is case and counter case between the parties inasmuch as Jalagarh Police Station Case No. 118 of 2025 has been filed by the daughter of co-accused Shahar Ali against the informant and others. He further submits that neither the petitioner was shown having any deadly weapon in his hand nor any overt act has been alleged against him. The allegation against the petitioner is general and omnibus in nature. The specific allegation of firing upon the deceased is against Md. Mursalim.
5. On the other hand, learned Counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that the petitioner came along with others and



assaulted the deceased and in both the case, one person has been killed.

6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that no overt act has been alleged against the petitioner, the petitioner was not shown having any weapon in his hand and there is specific allegation of firing upon the deceased is against co-accused Md. Mursalim, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, 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 Chief Judicial Magistrate, Purnea, in connection with Jalalgarh Police Station Case No. 117 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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