

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90726 of 2025

Arising Out of PS. Case No.-320 Year-2024 Thana- BIHARIGANJ District- Madhepura

Md. Raja Son of Md. Jakir R/o village - Koriya Rahi, Ward No.- 07, P.S.-
Bihariganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-02-2026 Heard Mr. Pawan Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Jitendra Kumar Singh,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bihariganj P.S. Case No. 320/2024 registered for the
offence(s) punishable under Sections
115(2),126(2),109,352,351(2),3(5) of the BNS and Section 27 of
the Arms Act.

3. As per the allegation made in the FIR, the dispute
arose when the petitioner along with Md. Kajim (uncle of the
petitioner) started abusing the persons who were going to
perform *Namaj* and when the informant opposed them, then
both made four rounds firing.

4. Learned counsel appearing on behalf of the



petitioner submitted that for similar allegation, co-accused Md. Kajim (uncle of the petitioner) has already been granted pre-arrest bail by a co-ordinate Bench of this Court *vide* order dated 07.05.2025 passed in Cr. Misc. No.27812 of 2025. Petitioner cannot be held responsible for assaulting or firing upon the informant. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and also the fact that similarly situated co-accused has already been granted pre-arrest bail by a co-ordinate Bench of this Court, I am of the opinion that petitioner, who is having clean antecedent, has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Udakishunganj, District,



Madhepura / Concerned Court in connection with Bihariganj
P.S. Case No. 320/2024, subject to the conditions as laid down
under Section 482(2) of the BNSS.

**8. The learned District Court is directed to verify
the criminal antecedent of the petitioner and if it is found
that the petitioner is involved in some other cases, as what
has been stated in paragraph no.3 of the bail application,
this order will automatically lose its force. ,**

(Purnendu Singh, J)

Sanjay/-

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