

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.401 of 2026

Arising Out of PS. Case No.-1 Year-2023 Thana- PURAINI District- Madhepura

Md. Parvej @ Manta S/o Late Md. Sheikh Ekbal @ Late Md. Ekbal R/o
Village - Sapardah, Ward No. 7, P.S - Puraini, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh, Advocate Mr. Ajay Thakur, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that on 30.12.2022, the son of the informant was going to Chanda from village Saparda by his bike as he reached near Tirasi near the house of Jaikant Thakur, heard the sound of firing. The informant went to the place of occurrence and he saw that his son was lying on road. It is further alleged that the petitioner and other four persons started firing at his son. Again, five other accused persons named in the FIR started firing at the son of the



deceased and fled from there. As he raised alarm, the villagers arrived. The son of the informant died on the place of occurrence itself.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the FIR, it is clear that the date of occurrence is 30.12.2022, the written application was given to police station on 03.01.2023 there is delay of three days which is not explained. From perusal of the FIR, it is clear that the informant has not stated anywhere that he was going with his son. The place of occurrence and the village of the informant are different and it is not possible from his village to see or hear about the occurrence. He has further submitted that the postmortem of the deceased was conducted on the same day and from the postmortem, it is found that five wound of entry. Learned counsel has further submitted that as per the FIR, there are ten assailants and it is alleged that all have fired but in postmortem, there are only five entry wounds. The nature of allegation is general and omnibus. Moreover, the petitioner is languishing in judicial custody since 13.11.2024.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has



submitted that petitioner has got three criminal antecedent.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Puraini P.S. Case No. 01 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge, II, Madhepura.

(Ashok Kumar Pandey, J)

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