

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5074 of 2025

Arising Out of PS. Case No.-334 Year-2025 Thana- BAHADURGANJ District- Kishanganj

Ajam Alam @ Ajam Son of Late Aniruddin @ Aniroddin Resident of
Pahatgaon, Ward No. 01, P.S. - Bahadurganj, District - Kishanganj.

... .. Appellant/s

Versus

1. The State of Bihar
2. Shaili Baski Wife of Jitan Murmu Resident of Pahatgaon, Ward No. 01, P.S.
- Bahadurganj, District - Kishanganj.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Raj Kumar, Advocate
For the State : Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 20-04-2026 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the respondent.

2. The instant appeal has been filed by the appellant
against the order dated 13.11.2025 passed by learned District
and Additional Sessions Judge 1st, Kishanganj whereby the
prayer for bail of the appellant in connection with Bahadurganj
P.S. Case no. 334 of 2025 under Sections 331(6), 74, 75, 351(2)
of B.N.S., Sections 25(1-B)a, 26 of the Arms Act and Sections
3(i)(w)(i)3(2) (va) of SC/ST Act was rejected.

3. The case of the respondent is that the appellant
entered the house of the respondent and attempted to outrage her



modesty on gun point. It is further alleged that as the respondent raised alarm, her sister-in-law arrived and later on, the appellant was apprehended with country made pistol.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. Learned counsel has submitted that as a matter of fact, nothing has been recovered from the possession of this appellant. From perusal of the para 15 of the diary, it transpires that the respondent herself has presented the country made pistol and the appellant to the police. The real fact is that the respondent is indulged in manufacturing country made liquor which was objected by the appellant, due to which, he has been framed in this case. Learned counsel has submitted in entire investigation, only two witnesses have been examined by the police and they are the respondent and her sister-in-law. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. Moreover, he is languishing in judicial custody since 28.07.2025.

5. The appeal for bail is opposed by learned Spl. P.P. for the State and learned counsel for the respondent. Learned counsel has for the respondent has submitted that the appellant was caught red handed while he has entered the house of the



respondent for outraging her modesty.

6. Having heard learned counsel for the parties and taking into consideration that there is no any specific overt act against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 13.11.2025 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Bahadurganj P.S. Case No. 334 of 2025 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge 1st, Kishanganj.

(Ashok Kumar Pandey, J)

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