

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90210 of 2025

Arising Out of PS. Case No.-365 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

Shamim Alam, son of Hasan Imam, Resident of Village- Bhojpurwa, Police
Station -Manjhagarh District- Gopalganj Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 13-01-2026 Heard the parties.

2. Petitioner seeks regular bail in connection with Gopalganj Town P.S. Case No. 365 of 2025 registered for the offences punishable under sections 61(2) and 109 of the Bharatiya Nyaya Sanhita and section 27 of the Arms Act.

3. The main submissions advanced by petitioner's counsel are that the petitioner is not named in the FIR and he is a friend of the FIR named accused Samsun Johar, who is full brother of the informant and a land dispute is running in between the informant and his brother, due to which the petitioner has been falsely implicated in the present matter. It is further submitted that the informant could not identify the petitioner as a member of assailants during the trial and the certified copy of his deposition is annexed with this petition as Annexure - 'P/2' and the same may be perused and the informant has entered into a compromise with his full brother Samsun Johar and the petitioner



has been languishing in jail since 17.05.2025.

4. Learned APP for the State has opposed the prayer of the petitioner but has not been able to refute the aforesaid submissions made by petitioner’s counsel.

5. Considering the above submissions, the averments made in this application and the petitioner’s plea that before the trial court the informant, who is said to be the main witness of the prosecution, could not be able to identify the petitioner as being the assailant and also taking into consideration the fact that in the FIR the informant raised suspicion only against his brother Samsun Johar on account of a land dispute running in between them, coupled with petitioner’s custody period, this Court is inclined to release him on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Gopalganj Town P.S. Case No. 365 of 2025.

(Shailendra Singh, J)

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