

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19329 of 2015

Arising Out of PS.Case No. -86 Year- 1996 Thana -LAUKHA District- MADHUBANI

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MD. MUMTAJ @ MUMTAJ AHMAD, SON OF LATE MD. MUJIBUR
RAHMAD, RESIDENT OF VILLAGE - KHUTAUNA, P.S. -
KHUTAUNA, DISTRICT - MADHUBANI.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR.

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Harendra Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 09-09-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with

Laukaha(Khutauna) P.S. Case No. 86 of 1996 corresponding to

G.R. No. 552 of 1996 registered under Sections 182, 211, 193 and

194/34 of the Indian Penal Code and Sections 26/27 of Arms Act.

The accusation is that Abdul Hannan, co-accused of

this case has given statement at PHC Khutauna before A.S.I.,

Yogendra Prasad Singh on 01.07.1995, when the informant, Abdul

Hanna was slept on a plung with Md. Sarwar in the house of his

brother-in-law, then window was opened at about 1.10 A.M and

unknown persons fired gunshot at the right hand of informant,

Abdul Hannan. Therefore on the basis of aforesaid incident Khatauna P.S. Case No. 70 of 1995 was registered against unknown. During investigation the case was found untrue against the named accused persons and it was detected that informant of that case sustained firearm injury of loading illegal arms and only to conceal the occurrence false case has been lodged.

Learned counsel for the petitioner submits that neither the petitioner neither is informant of Khatauna P.S. Case No. 70 of 1995 nor involved in that case but on mere suspicion petitioner has falsely been implicated in this case. It is further submitted that petitioner having no criminal antecedent is in custody since 27.02.2015.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the J.M. Ist Class, Jhanjharpur, Madhubani, in connection with Laukaha(Khutauna) P.S. Case No. 86 of 1996 corresponding to G.R. No. 552 of 1996.

(Rajendra Kumar Mishra, J)

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