

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32900 of 2016

Arising Out of PS.Case No. -128 Year- 2016 Thana -PIRBAHOR District- PATNA

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1. Mohammad Azad Son of Md. YUshuf Resident of Bajaj Lane,
Bakerganj, P.S.- Pirbahore, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lalan Kumar

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner is in custody in a case registered under
Sections 307/34 of the Indian Penal Code and 27 of Arms Act.

It is alleged by the informant that that on 11.5.2016 at
2.15 P.M. he received a call from one Imaran @ Pappu son of
Md.Ali through his mobile no. 9155467941 and he was called
near Malik Manjeel to talk on necessary matter. When he reached
to Malik Manjeel then he saw that Pappu was present there with
other three persons and two persons were known by him out of
three and he further disclosed the name and addresses of those
persons of Mithilesh Kumar Choudhary son of now known,
resident of Pokhar Devi Asthan, P.S. Pirbahore, District Patna and
another as Md Azad. It is further alleged that Mithilesh put his
pistol on his Kanpatii while the informant was talking with Pappu
and Md Azad fired on him and by chance fire has not been made

from the pistol of Mithilesh and any how the informant escaped himself by pushing them and fled away. It is further alleged that while he was running to escape then one fire was made which was gone near through the child of one Mumtaj, who was returning from his tuition.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.05.2016. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. None is said to have been injured in course of occurrence.

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Having considered the facts and circumstances of the case, let, above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Patna in connection with Pirbahore P.S. Case No. 128 of 2016.

(Sudhir Singh, J)

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