

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14032 of 2016

Arising Out of PS.Case No. -529 Year- 2015 Thana -DANAPUR District- PATNA

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1. MD. MOON @ MD. NASIR HUSSAIN @ MD. MUN @ NASIR
HUSSAIN son of Md. Arshad Hussain, R/o Mohalla- Saguna, Chhoti
Haweli, P.S. Danapur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Priyedarshi

For the Opposite Party/s : Mr. Binod Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 12-05-2016 Heard learned counsel for the petitioner, learned A.P.P.
representing the State and the learned counsel for the informant.

The petitioner seeks bail in connection with Danapur
P.S. Case No. 529 of 2015 registered for the offences punishable
under Sections 147, 148, 149, 447 and 307 of the Indian Penal
Code and Section 27 of the Arms Act.

Allegedly, the petitioner and other co-accused being
armed came, co-accused Saddam opened fire upon the informant
with pistol causing injury in his hand and thereafter, Md. Ashif
and the petitioner opened fire with pistol which hit in the abdomen
of Shankar Singh, the father of the informant and it is alleged that
the miscreants have formed a gang named 'Hanter Group'.



Submission is of false implication and that two persons have alleged to cause fire arm injuries to Shankar Singh but only one injury has been found on the person and, as such, as to from whose firing, he received injury is not clear, co-accused Saddam has already been allowed bail by another co-ordinate Bench of this Court and the petitioner is suffering in custody since 16.09. 2015.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the petitioner and others are terror and from final injury report it is clear that injuries were noticed as dangerous to life and the final injury report of Shankar Singh is attached at page 23 of the case diary and further the petitioner has got criminal antecedent.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of nine months in custody from the date of his remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Danapur, Patna in connection with Danapur P.S. Case No. 529 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and

every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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