

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52693 of 2015

Arising Out of PS.Case No. -139 Year- 2015 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

=====

Md. Tauhid Khan @ Tauhid Khan son of Liyakat Khan Resident of village
- Dumari, Police Station - Durgawati, District - Kaimur at Bhabua.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Humayou Ahmad Khan, Advocate
For the Opposite Party/s : Mr. Bisheshwar Ram, APP

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 01-03-2016 Heard learned counsel for the petitioner, the

learned A.P.P. representing the State, as also the learned

counsel for the informant.

The petitioner seeks bail in connection with

Durgawati P.S. Case No. 139 of 2015 registered for the offences

punishable under Sections 147, 148, 149, 341, 307, 302, 504,

506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, in the occurrence the petitioner shot

Nasruddin Khan on his neck resulting he fell down and

thereafter he was brought to Banaras for treatment and other co-

accused assaulted others and further Sartaj Khan shot Md.

Masood Khan causing his death.

Submission is of false implication and that due to dispute going on in the school the petitioner has been implicated falsely, during investigation the injury report of Nasruddin Khan has not been obtained, other co-accused Afroz Khan and others have been allowed bail vide Criminal Miscellaneous No. 42483 of 2015 by another co-ordinate Bench of this Court, there is no allegation that the petitioner repeated the firing and he is suffering in custody since 03.08.2015.

Learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the victim Nasruddin Khan was treated in Maxwell, Banaras, his condition was serious and bullet was extracted from his neck.

In the facts and circumstances stated above, considering that the petitioner has caused firearm injury on the vital part of Nasruddin Khan and as such, at this stage, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J.)

ajaypd./-

U		T	
---	--	---	--