

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15431 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Md. Sarfraz @ Lalu Son of Md. Hafiz Resident of Chhata Chowk
Damuchak Road, P.S. Kazimohammadpur, District Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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

ORAL ORDER

2 17-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Muzaffarpur
Town P.S. Case No. 61 of 2017 registered for the offences
punishable under Sections 307, 120B of the Indian Penal Code
and Section 27 of the Arms Act.

Allegedly, two unknown motorcycle borne miscreants
opened fire upon the informant, resulting, the informant also fired
with his licensee pistol, resulting, he was saved.

Submission is of false implication and that during
investigation name of the petitioner transpired, no firearm injury
was found on the person of the informant rather the accused has
received firearm injury and bullet was recovered from the mouth
of the co-accused Guddu, the petitioner was empty hand at the



time of occurrence and he has no enmity with the informant, the vehicle of the informant bears no bullet mark on the glass and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 06.02.2017.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that no injury was found on the person of the informant, the petitioner above named is directed to be released on bail 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 Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur Town P.S. Case No. 61 of 2017, subject to the conditions that one of the bailors must be a 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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