

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28972 of 2017**

Arising Out of PS.Case No. -371 Year- 2017 Thana -MOTIHARI TOWN District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Md. Ali Akhtar @ Ali Akhtar Son of Md. Daud, R/o Mohalla- Belbanwa,  
Ward No. 22, P.S.- Motihari (Town), District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      18-07-2017                      Heard the parties.

The petitioner seeks regular bail in connection with  
Motihari (Town) P.S.Case No.371 of 2017, registered for  
offences punishable under Sections 307 & 506 of the Indian Penal  
Code and Section 27 of the Arms Act.

Allegation against the petitioner as per F.I.R. is of  
firing on the informant but not causing injury to any other person.  
The F.I.R. further shows that four empty cartridges were  
recovered from the place of occurrence.

Submission of the learned counsel for the petitioner is  
that there is a case and counter case between the parties and his  
mother was assaulted. The petitioner has been falsely implicated  
in this case, which will appear from the fact that no injury is found



on the person of the informant and the empty cartridges were not recovered by the police rather by the informant.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Motihari, East Champaran in connection with Motihari (Town) P.S.Case No.371 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, otherwise, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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