

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55265 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -PIRBAHOR District- PATNA

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Md. Azharullah @ Azharullah @ Javed Bukhari, Son of Late Md. Mohibullah, resident of Mohalla Makhania Kuan P.S. PIRbahore, District-Patna. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Ehteshamuddin, Advocate

For the Opposite Party/s : Mr. Sri Binod Kumar 3, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 12-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 307/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case as per the informant is that two boys entered his shop in the midnight and started bringing down shutter and when the same was objected by the informant one of them started firing which caused injury to the informant.

Counsel for the petitioner submits that while he was moving on the road he was apprehended and his name has been implicated in the instant case though nothing incriminating has been recovered from his possession. The specific case in the FIR is that on suspicion against the landlord with whom the informant was on litigating relationship for tenancy of the shop in question, the petitioner who is in no way connecting with the landlord has



only been implicated in this case on suspicion. He further submits that the petitioner is in custody since 12.08.2017. Though some other cases have been disclosed in paragraph 3 of the application but in the said cases he is on bail.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Patna in Pirbahore P.S. Case No. 23 of 2017** subject to the conditions :

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

Prakash/-

(Madhuresh Prasad, J)

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