

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23303 of 2017

Arising Out of PS.Case No. -99 Year- 2013 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

=====

Mohd. Mahafooz, S/o S.K. Abdul Bari, Resident of Village- Jamayee
Tola, Ramgarhwa, P.S.- Ramgarhwa, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr.Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

It is alleged that while the husband of the informant
was returning after call of nature, the petitioner surrounded him
and accused Sheikh Abdul Bari and Md. Naseeb shot fire upon
the deceased, causing his death.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 03.01.2017. The charge sheet has
been submitted in the present case. There is no allegation of
tampering of witnesses alleged against the petitioner. The main



allegation of firing is against co-accused namely Sheikh Abdul Bari and Md. Naseeb. No overt act has been alleged against the petitioner.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul at Motihari, East Champaran, in connection with S.T. No. 2437 of 2016, arising out of Ramgarhwa P.S. Case No. 99 of 2013.

(Sudhir Singh, J)

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