

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39340 of 2018

Arising Out of PS. Case No.-63 Year-2018 Thana- GOGRI District- Khagaria

Md. Shamsher, Son of Md. Hashim, Resident of Village- Chak Yusuf, Police Station- Gogri, District- Khagaria.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Syed Masleh-Uddin Ashraf, Adv.
For the Opposite Party : Mr. Chandrasen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 30-08-2018 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Gogri P.S. Case No. 63 of 2018 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and under Section 27 of the Arms Act.

Informant is the son of deceased, who in his fardbeyan has stated that on 27.02.2018 when he was returned after plying tempo at about 9:00 P.M. he went to sleep and heard sound of firing upon which he came out and saw 4-5 persons fleeing away and when he reached near his father he found firearm injury in head of his father and he was lying dead on the road. He has raised suspicion that the 4-5 persons named persons in FIR due to land dispute and previous enmity has



killed his father.

It has been submitted on behalf of the petitioner that he is handicap and has no criminal antecedent and has been implicated in this case only on the basis of suspicion. In the postmortem report it has been found that there are two firearm injuries on the person of deceased. Petitioner is in custody since 01.03.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Gogri P.S. Case No. 63 of 2018.

(S. Kumar, J)

Rajiv/manoj

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