

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15717 of 2019

Arising Out of PS. Case No.-92 Year-2018 Thana- HUSSAINGANJ District- Siwan

SARFARAZ ALAM @ SARFARAZ S/o Abdul Razzaq @ Abdul Rahman
R/o Village- Aranda, P.S.- Hussainganj (M.H. Nagar), District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 341, 324, 307, 504/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that while the informant along with another was on the way, the accused persons, variously armed, fired at him due to which he received injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 5.12.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. From perusal of the F.I.R., it



appears that the occurrence is said to have taken place on 26.10.2017 and ferdbeyan was recorded on 12.2.2018. The delay in lodging the F.I.R. has not been explained by the prosecution. It is submitted that the deceased has criminal antecedent and he has sustained injury in some other incident. The allegations made in the F.I.R. is denied by the petitioner. No arms is said to have been recovered from the possession of the petitioner. It is further submitted that the petitioner may be released after completion of nine months in custody.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner is said to have fired upon the victim.

Considering the aforesaid facts and circumstances, **on completion of nine months in custody**, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Hussainganj (M.H. Nagar) P.S. Case No. 92/18.

(Sudhir Singh, J)

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