

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79456 of 2018

Arising Out of PS. Case No.-193 Year-2018 Thana- LAHERIMUHALLA District- Nalanda

Md. Shadab @ Md. Sadav son of Md. Taiyab Moulvi @ Md. Taiyab Resident
of Mohalla- Konasarai, Police Station- Laheri, District-Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md.Imteyaz Ahmad
For the Opposite Party/s : Mr.Sri Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 06-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Laheri P.S. Case No. 193 of 2018 registered for
the offence punishable under Sections 341, 307, 504, 147, 149
of the Indian Penal Code and 27 of Arms Act.

Informant who is the mother of injured has stated in
her written complaint that her son Zahid Hussain on 05.07.2018
was going to Haveli and in the way five named accused
including petitioner stopped him and petitioner fired from his
pistol, which hit the abdomen of injured and he was taken to
Sadar Hospital from where he was referred to PMCH.

It has been submitted on behalf of the petitioner that



he is innocent and has committed no offence and has been implicated in this case due to previous enmity between the parties. It has been further submitted that during entire investigation the statement of injured has not been recorded and the injury report of the Sadar Hospital and PMCH where he was referred has not been produced. Charge sheet has already been submitted and even as witness of charge sheet, name of injured is not there. The statement made are not controverted by State Counsel. Petitioner is in custody since 08.09.2018.

Considering the aforesaid facts 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, Nalanda at Biharsharif, in connection with Laheri P.S. Case No. 193 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution



will be at liberty to move for cancellation of bail of
the petitioner.

(S. Kumar, J)

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