

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24946 of 2019**

Arising Out of PS. Case No.-40 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

Sheikh Rahimatullah @ Rocky @ Sk. Rahmatullah, Son of Attiullah Azad
Resident of Village - Khagaura, P.S.- Siwan Mufassil, District- Siwan, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar
For the Opposite Party/s : Mr.Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 19-04-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Siwan Mufassil (Dhanauti) P.S. Case no.40 of 2019,
registered under Section 341, 323, 307, 504 & 506/34 of the
Indian Penal Code.

Petitioner is said to have resorted firing upon the
right leg of the informant by means of pistol on the exhortion
of Atiullah Azad.

Learned counsel for the petitioner submitted that no
such occurrence as alleged ever took place. The petitioner is
quite innocent and has been falsely implicated in this case as a
counter blast of Siwan (M) P.S. Case No.716 of 2018 filed by



Attiullah Azad (father of the petitioner) against the informant and other in which brother of the petitioner was brutally assaulted. It is further submitted that the doctor has not found any firearm injury on the leg of the brother of the informant rather abrasion, simple in nature caused, by hard and blunt substance. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Siwan in connection with Siwan Mufassil (Dhanauti) P.S. Case No. 40 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J.)

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