

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28555 of 2019

Arising Out of PS. Case No.-66 Year-2018 Thana- KATORIYA District- Banka

Kayamuddin Mian @ Kayamuddin @ Kamruddin Mian Son of Late Md. Ibrahim Ansari Resident of Village - Khagra, P.S.- Kunda, District - Deoghar (Jharkhand)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 02-05-2019 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner apprehends his arrest in connection with Katoria P.S. Case No. 66 of 2018 registered for the offence punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Out of six accused persons including the petitioner, co-accused Bajaj and Dilawar Mian are said to have resorted firing upon the informant inflicting fire injury to him.

It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. Petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case. There is



no allegation of assault against the petitioner. The occurrence is said to be of 26.04.2018, but injury report indicates that the informant was examined on 24.06.2018 and doctor found the injuries inflicted within six hours which creates serious doubt about the prosecution case. Petitioner has no criminal antecedent and said Bajaj @ Md. Siraj, Dilawar Mian @ Dilawar Hussain and another have been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 15.01.2019 passed in Cr. Misc. No. 62636 of 2018.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Katoria P.S. Case No. 66 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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