

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28287 of 2019**

Arising Out of PS. Case No.-220 Year-2017 Thana- SAHEBPUR KAMAL District-
Begusarai

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MAHESHWAR PRASAD SAH @ MAHESHWAR SAH @ MAHESHWAR
PRASAD Son of Late Jago Sah Resident of Village - Malhipur, P.S.- S.
Kamal, Dist.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate.

For the Opposite Party/s : Mr. Surendra Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **S. Kamal P.S. Case
No. 220 of 2017**, instituted for the offence under Section(s) 307,
120(B)/34 of Indian Penal Code and Section 27 of the Arms Act.

Counsel for the petitioner submits that petitioner
has been named in the written report due to previous enmity
with the informant.

In the written report it is alleged that when husband
of the informant reached near the gate of his shop on call by
some one, two firing was made on him, which hit on his neck.
The informant went at the place of occurrence after hearing
sound of firing and saw five persons as named in the written



report running away on two Motorcycles armed with firearms. Petitioner was not amongst those five accused persons. The informant has taken the name of petitioner in the written report merely on suspicion, on account of earlier case pending between the parties.

Petitioner is in custody since 28.11.2017.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-Vth, Begusarai**, in connection with **S. Kamal P.S. Case No. 220 of 2017**, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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