

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40922 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- KHIRI MORE District- Patna

MD. MOJAFFAR KHAN @ MOJAFFAR HUSSAIN Son of Late Md.
Manzar Khan Resident of Village- Jamharoo, P.S.- Khirimor, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Chandra

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-07-2019 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 147, 148, 149, 341, 323, 307, 353, 399, 402 of the Indian Penal Code and 25(1-b)a, 26, 27, 35 of the Arms and 30(a), 37(b)(c) and 38(ii) of the Bihar Prohibition and Excise Act, 2016.

Prosecution allegation, in short, is that on secret informant when the informant along with other police party reached the place of occurrence and surrounded the place but the accused persons while firing indiscriminately tried to escape away but some of them were apprehended.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.2.2019 and has got no



criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. One country made pistol and one live cartridge were recovered. Other co-accused has been granted bail vide Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 Special Judge, Excise Act, Patna in connection with Special Case No. 1555/2019 arising out of Khirimor P.S. Case No. 10 of 2019.

(Sudhir Singh, J)

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