

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45019 of 2019**

Arising Out of PS. Case No.-170 Year-2019 Thana- GOPALPUR District- Bhagalpur

MUNNA NADAF @ JALIL NADAF Son of Md. Khalil Nadaf Resident of
Village - Jahangirpur Baisi, P.S.- Rangara O.P, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr.Jagdhar Prasad

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

4 06-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

As per the allegation in the FIR, registered for an offence punishable under sections 307/504 of the Indian Penal Code, section 27 of the Arms Act and section 37(c) of the Bihar Prohibition and Excise Act, 2016, the petitioner is alleged to have fired indiscriminately. It is further stated that the informant received a phone call informing him that the incident of firing had been recorded by some person in which the petitioner could be clearly seen.

It is submitted by learned counsel for the petitioner that the petitioner was caught under the influence of liquor and it was as a result of previous enmity with the informant of the instant case as also one Md. Gaffar joined hands in implicating him and giving a serious picture to the allegation. It is further submitted that the petitioner is in custody since 06.06.2019.



The application for bail has been opposed by learned APP for the State who submits that in course of investigation the video referred to by the informant in the FIR has been verified and found to be correct and the petitioner can be seen in the same.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the nature of allegation together with the fact that the video referred to in the FIR has come in possession of the investigating authority, the court is not inclined to grant bail to the petitioner and as such the application for bail is rejected.

However, taking into consideration the facts and circumstances of the case together with the fact that no arms is said to have been recovered from possession of the petitioner, the petitioner if so advised may renew his prayer for bail after completing ten months in custody.

(Partha Sarthy, J)

Prakash Narayan /-

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