

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50660 of 2019**

Arising Out of PS. Case No.-212 Year-2018 Thana- BRAHMPURA District- Muzaffarpur

MD. SHAUKAT ALI Son of Late Md. Anwar @ Anavar Ahmad Resident of  
Village-Damodarpur, P.S.-Kanti, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      17-08-2019                      Heard learned counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks bail in Brahampura P. S. Case  
No. 212 of 2018    instituted for the offence under Section(s)  
341, 307/34 of the Indian Penal Code. Later on Section 302 of  
the I.P.C. was added.

It is    alleged in the written report that    on 29.6.2018  
at 11 PM while    the informant along with Md. Mustakim Ali  
were    talking together near the house of Sheela Choudhary    in  
front of Bank of Baroda two persons    who have covered their  
face by handkerchief came    riding on two motorcycles    from  
eastern side    stopped their vehicle    and thereafter it is alleged  
that    pillion rider made    indiscriminate firing on account of  
which    informant    along with Md. Mustakim Ali got serious



injury. After hearing the sound of firing the nearby people started assembling. On seeing the people accused persons fled away. Nearby people brought both of them for treatment to Paras Hospital, Brahmpura from where Md. Mustakim Ali was referred for better treatment.

Learned counsel for petitioner submits that petitioner is not named in the written report. Petitioner is known to the informant.

The informant has lodged the FIR without disclosing the name of any accused persons. The informant, three months after the occurrence, in his statement recorded U/s 164 Cr. P.C. has raised suspicion against this petitioner.

Besides suspicion, there is no allegation of specific overt act against this petitioner.

The other co-accused of this case has already been granted regular bail by co-ordinate Bench of this Court by order passed in Cr. Misc. no.41201 of 2019.

Petitioner is in custody since 11.4.2019 having no criminal antecedent.

Considering the aforesaid, 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 the CJM, Muzaffarpur in connection with Brahampura P. S. Case No. 212 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

**(Sanjay Priya, J)**

shyambihari/-

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