

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56873 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- NAANPUR District- Sitamarhi

SHIFTULLAH, aged about 22 years, Male, Son of Md. Arshad, Resident of
Village- Godhaul Sharif, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs.Madhubala Verma, Advocate.

For the Opposite Party : Mr.Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-09-2019 Learned counsel for the petitioner is permitted to
make necessary correction in prayer portion of bail application,
in course of the day.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 414, 307 of the IPC, 25(1-b)a and 27
of the Arms Act.

The prosecution story, in brief, is that on 14.05.2019
while the informant with other police forces were on night
patrolling duty, the petitioner with another accused was
apprehended by the police while the petitioner alongwith other
accused persons boarded on three motorcycles were fleeing



away after making firing on a person. In presence of two independent witnesses, search was made and a country made pistol with live cartridges was recovered from possession of the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 15.05.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. One country made pistol alongwith one live cartridge is said to have been recovered from possession of the petitioner. The Motorcycle in question is not a stolen property rather the same belongs to the petitioner. None is said to have been injured in course of occurrence. There is no compliance of Section 100 of Cr. P.C.

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

Considering the aforesaid facts and circumstances, let 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 the learned S.D.J.M.



Pupri, Sitamarhi, in connection with Nanpur P.S. Case No. 167
of 2019.

(Sudhir Singh, J)

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