

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63222 of 2019**

Arising Out of PS. Case No.-303 Year-2019 Thana- BIHARSHARIF District- Nalanda

Md. Mozammil Nabi @ Mojamil, Son of Md. Ahsamuddin @ Munna  
Resident of Village-Banauliya, Ward No.32, Police Station-Biharsharif,  
District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Ashraf Ansari

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

2      21-10-2019                      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner apprehends his arrest in connection with  
Biharsharif P.S. Case No. 303 of 2019, registered under Section 307  
and other allied Sections of the Indian Penal Code.

The accusation is that in the evening of 15.02.2019,  
after hearing the Hullah, informant, Neeraj Kuamr @ Dablu, came  
out from his house then saw that 11 persons named in the F.I.R.  
including the petitioner variously armed with weapons and they came  
in front of his house and started to abuse, denoting his caste. At that  
time, Md. Sadav asked to kill him then Buland Akthar @ Tipu  
Ansari tried to cause injury through butt of the pistol. Dablu, Hamza  
and Mojamil (petitioner) caught hold and laid on the ground.  
Thereafter, Buland Akthar @ Tipu Ansari caused injury through butt



of the pistol causing injury at his forehead and Sadab assaulted him through iron rod at his right arm. Rahman took Rs.12,000/- from his pocket and this petitioner snatched gold chain from his neck.

Learned counsel for the petitioner submits that while the petitioner is named in the F.I.R. but only allegation against the petitioner, Dablu and Hamza is to caught hold the informant and laid down on ground. Further submission is that, in fact, petitioner is an A.C. mechanic in Hitachi Company and on the day of occurrence, he was at Ara, but with ulterior motive he has falsely been implicate in this case. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Nalanda, in connection with Biharsharif P.S. Case No. 303 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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