

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69543 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- PRANPUR District- Katihar

Md. Mustafa @ Mistafa Haji @ Mustafa Hazi Son of Late Bajlu Rahman
Resident of Village- Ganga Nagar, P.S.- Pranpur (Roshna), District- Katihar.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bimal Kumar
For the Opposite Party : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Pranpur (Roshna) P.S. Case No. 68 of 2019 registered under Sections 341, 323, 447, 307/34 of the Indian Penal Code and Sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.

It is contended by the learned counsel for the petitioner that no offence as alleged has ever taken place. Both the parties belong to the same family and there is admitted land dispute between them. It is further contended that though there is allegation of opening fire and causing injury to the wife of the informant, the doctor, who examined the wife of the informant found only one abrasion measuring $1\frac{1}{4} \times \frac{1}{4}$ on the person of the injured and opined that the said injury was caused by hard and



blunt substance and the injury was simple in nature. It is also contended that none of the ingredients of the offence punishable under Section 307 of the Indian Penal Code would be attracted in the present case.

Learned counsel for the State has opposed the application for grant of bail to the petitioner.

Regard being had to the submissions made above, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Katihar in connection with Pranpur (Roshna) P.S. Case No. 68 of 2019.

(Ashwani Kumar Singh, J)

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