

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4382 of 2020

Arising Out of PS. Case No.-250 Year-2019 Thana- DHAMDAHA District- Purnia

MD. MANZER ALAM @ MANJAR ALAM Son of Late Nayeemuddin
Resident of Village - Jave Ward No. 9, P.S.- Bhawanipur, District- Purnea
... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Ajmat Son of Md. Wajahul Resident of Village - Jave, P.S.- Bhawanipur, District- Purnea
3. Md. Rizwan Son of Md. Wajahul Resident of Village - Jave, P.S.- Bhawanipur, District- Purnea
4. Md. Rahmat Son of Md. Wajahul Resident of Village - Jave, P.S.- Bhawanipur, District- Purnea
5. Md. Shamim Akhtar @ Ballu Son of Late Manaf Resident of Village - Jave, P.S.- Bhawanipur, District- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Hussain

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-02-2020 This is an application for cancellation of bail granted to opposite party nos. 2 to 5 vide order dated 19.09.2019 passed by the learned Additional Sessions Judge -IV, Purnea in B.P. No. 648 of 2019 arising out of Dhamdaha P.S. Case No. 250 of 2019, registered for offences punishable under Sections 307, 379, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that while the informant along with his brother in law Md. Gufran was coming on motorcycle, opposite party nos. 2 to 5 came armed and snatched



away the bag containing cash and also made indiscriminate firing and one of the shots hit Md. Gufran.

Submission of learned counsel for the petitioner is that learned Trial Court has not considered this aspect of the matter that Md. Gufran sustained fire arm injury and a pellet was also recovered from his head in Max Hospital and enlarged the opposite party nos. 2 to 5 on bail.

Heard learned A.P.P. also and perused the impugned order, from which, it appears that learned Additional Sessions Judge -IV, Purnea considering the injury report of Medical Officer, Dhamdaha that shows that injury of said Md. Gufran was said to have been caused by hard and blunt substance and there is no material in the case diary with regard to looted amount and other articles granted bail to opposite party nos. 2 to 5 and further there is no allegation of tampering with the evidence or of misuse of privilege of bail by opposite party nos. 2 to 5.

Considering the discussions made above, I do not find any merit in this application, the same is accordingly dismissed.

(Vinod Kumar Sinha, J)

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