

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11217 of 2020

Arising Out of PS. Case No.-597 Year-2019 Thana- KADAMKUAN District- Patna

Md. Iftexhar Ahmad @ Md. Istekhar @ Raju @ Md. Raju Son of Late Isha @
Isa Master R/O - Mirshikar Toli (Miska Toli) Near Jama Masjid, P.S.-
Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Ramakant Sharma, Sr.Adv.
Mr.Nityanand Kumar

For the Opposite Party/s : Mr.Mukeshwar Dayal
Mr. Ravindra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 18-06-2020 Heard learned senior counsel for the petitioner, learned
A.P.P. for the State as well as learned counsel for the informant
through video conferencing.

The petitioner seeks bail in Kadamkuan P.S. Case No.
597 of 2019 registered for the offence under Sections 307,
120(B), 324, 326 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case is that on 08-09-2019, seven
accused persons, including petitioner, fired on the brother of
informant, as a result of which, he sustained injury in left ear,
left shoulder and left palm and thereafter, all accused persons
started fleeing away from the spot, but the informant and other



local people caught one of them namely Md. Saheb, who disclosed the name of other accused persons, who succeeded in fleeing away.

It is submitted on behalf of petitioner that petitioner has been named in the F.I.R. on the basis of confessional statement of co-accused Md. Saheb, who was apprehended on the spot. Save and except this, there is nothing against the petitioner. No incriminating article has been recovered either from the possession of petitioner or from his house. It is further submitted that two similarly situated co-accused have already been granted anticipatory bail by the court below itself.

Learned A.P.P. and learned counsel for the informant have vehemently opposed the prayer for bail. Learned counsel for the informant submits that petitioner may not be extended the privilege of anticipatory bail, since he is master-mind of the occurrence and he also carries criminal antecedent.

However, considering the aforesaid facts and circumstances, the bail application is allowed.

In the event of arrest or surrender within a period of six weeks from today, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned A.C.J.M.-XII, Patna, District - Patna in connection with Kadamkuan P.S. Case No. 597 of 2019, subject to condition, as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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