

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20894 of 2020

Arising Out of PS. Case No.-267 Year-2019 Thana- KISHUNPUR District- Supaul

MD. SULTAN Son of Late Md. Gaffar @ Late Abdul Gaffar Resident of
Village-Sisauni Kalali Tola, P.S.-Bishanpur, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Sri. Bisheshwar Ram (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-06-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Kishanpur P.S. Case No. 267 of 2019, disclosing offences punishable under Section 341, 323, 307, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

It is the case of the prosecution that on the alleged date of occurrence i.e. 21.11.2019, the petitioner shot at the informant's brother with pistol causing firearm injuries in his abdomen. The injured was thereafter taken to hospital for treatment. The firearm, which was used by the petitioner was handed over by the villagers to the police.

Mr. Najmul Hoda, learned counsel for the petitioner has submitted with reference to the injury report that the entire



case of the prosecution is falsified. He has submitted that whereas, there is specific allegation that the victim sustained firearm injuries, the injury report does not support the said allegation. A copy of the injury report has been brought on record, which does not show that the injury was caused by the firearm. The petitioner is in custody since 07.12.2019. Some dispute of civil nature appears to be the reason behind the alleged occurrence.

Considering the facts and circumstances, this application is allowed.

Let the petitioner above named be released on bail 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, Supaul in connection with Kishanpur P.S. Case No. 267 of 2019.

(Chakradhari Sharan Singh, J)

AKASH/-

U		T	
---	--	---	--

