

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27189 of 2020

Arising Out of PS. Case No.-860 Year-2019 Thana- MASAUDHI District- Patna

MD. TAZ Son of Sultan Mallik Resident of Village - Rahmatganj, P.O. and
P.S.- Masaurhi, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra
For the Opposite Party/s : Mr. S. M. Rehman, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Masaurhi P.S. Case No.
860 of 2019 instituted for the offences under Sections 302, 307,
34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the accused
persons fired indiscriminately due to which his brother died.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 5.12.2019. There is no
allegation of tampering of witnesses alleged against the



petitioner. Charge-sheet has been submitted in the present case. General and omnibus allegation of firing is alleged to have been made against the petitioner. No specific injury is attributed against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. Altogether 5 persons fired upon the deceased. The petitioner is also one of them who is alleged to have fired indiscriminately upon the deceased. Altogether four fire arms injuries were found on the body of the deceased that is the wound of entry. The petitioner is said to be one of the assailants.

Considering the same, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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