

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73241 of 2019

Arising Out of PS. Case No.-157 Year-2016 Thana- MAHUA District- Vaishali

MD. FIROJ son of Md. Akhtar @ Md. Akhtar Misa Resident of Village -
Alipur Mukund, Police Station- Mahua, in the district of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 06-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Mahua
P.S. Case No.157 of 2016 registered under Sections 147, 148,
149, 302 and 307 of the Indian Penal Code besides Section 27
of the Arms Act.

The accusation is that Guddu Sharma, the son of the
informant Monarik Sharma, was going to Dogra Chowk to take
medicine. In the way, 13 persons, named in the F.I.R., including
the petitioner , who were on Scorpio vehicle, variously armed
with weapon surrounded Guddu Sharma, the son of the
informant. At that time, Ajay Rai made indiscriminate firing,
which hit Guddu Sharma, the son of the informant. Due to



stampede at the place of the occurrence, all fled away from there in north direction making fire. Later on, the informant came to know that in village-Alipur Mukund, near the house of Alimuddin Mian, firing was also made, in which Sulekha Devi, Priyanshu Kumari and Rajendra Sah also sustained firearm injury.

Learned counsel appearing on behalf of the petitioner submits that while the petitioner is named in the F.I.R. along with others but the specific allegation to make firing at Guddu Sharma, the son of the informant, is against Ajay Rai. Regarding the firing made near the house of Alimuddin Mian, Mahua P.S. Case No.159 of 2016 was also instituted, in which the petitioner has already been granted bail by a Bench of this Court vide order dated 05.02.2020 passed in Criminal Misc. No.72399 of 2019. In the present case, the petitioner is in custody since 28.05.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P.S. Case No.157 of 2016. Out of the



two sureties, one must be either parents or the close relative of
the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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