

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82050 of 2019

Arising Out of PS. Case No.-58 Year-2017 Thana- MANJHAGARH District- Gopalganj

FIROZ @ FIROZ ANSARI, aged about 25 years, Male, Son of Alim Miyan,
Resident of Village - Terhighat, Anderpur, P.S.- Hussainganj, District- Siwan
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjana, Adv.

For the Opposite Party : Mr. Md. Ataur Rahman, APP

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

ORAL ORDER

3 24-06-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state through video
conferencing.

The petitioner seeks pre-arrest bail in connection with
Manjhagarh P.S. Case No. 58 of 2017, registered under Sections
341, 323, 504, 337, 338, 307 and 34 of the Indian Penal Code
and 25(1-b)a, 26, 27 and 35 of the Arms Act.

The accusation is that on 16.04.2017, informant,
Zubair Rahman, along with his brothers, Md. Ahsan and Abdul
Rahman, was going to his shop boarding on two motorcycles,
informant was driving one motorcycle and Ahsan was on the
rear seat, when they reached on the bridge in between villages
Pathra and Karpura, then, Ahsan Mian @ Nanhe, son of Md.
Yunus, Md. Saddam and three unknown were seen and they
gave signal to stop the motorcycles. At that time, Ahsan Mian



@ Nanhe asked to make assault, then, a person made fire, which hit the informant, he fell down, but, anyhow he managed to catch hold the person, who shot fire. On raising alarm others fled away from motorcycle. The informant claimed to identify all the culprits. Cause of occurrence is that the informant is witness in Manjhagarh P.S. Case No. 150 of 2015 and he is also doing pairvi, due to that reason the injury has been caused to him at lonely place.

Submission is that the caught hold person with arm was Ratnesh Ram, whose confessional statement was recorded by the police in course of investigation, as detailed in paragraph 29 of the case diary. He detailed the name of the petitioner, who opened fire at the time of occurrence while informant has stated that the person, who made fire on him was Ratnesh Ram. In fact, the police managed to implicate the petitioner in the present case. The petitioner has no criminal antecedent, as such, no question arise about his connection with Manjhagarh P.S. Case No. 150 of 2015.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Manjhagarh P.S. Case No. 58 of 2017 shall 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, Gopalganj, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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