

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77866 of 2019**

Arising Out of PS. Case No.-190 Year-2019 Thana- HUSSAINGANJ District- Siwan

KAUSAR SAI, Son of Ansar Sai Resident of Village - Piyaur, P.S.- M.H.
Nagar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

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

ORAL ORDER

4 29-05-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State assisted by Sri Vijay Prakash, learned counsel appearing for the informant through video conferencing.

The petitioner seeks bail in connection with Hussainganj (M.H. Nagar) P.S. Case No. 190 of 2019, registered under Sections 147, 302 and 506 of the Indian Penal Code, Section 27 of the Arms Act and Section ¾ of the Explosive Substance Act.

The accusation is that Ali Ahmad @ Gulam Khani, elder brother of informant, was at his brick-kiln on 27.06.2019, at that time, five persons named in the F.I.R., including the petitioner and 2-3 unknown came there and at that time Abre Alam and Anwar fired at his brother causing injuries at his hand and chest. Thereafter, Kausar Sai



(petitioner) and Farookh hurled bomb at his brother due to that reasons, the brother of the informant died.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that specific allegation is against Abre Alam and Anwar, to shot fire at the deceased, brother of the informant, thereafter, petitioner and Farookh threw bomb, but in Postmortem report fire injuries were found caused by gunfire. Further submission is that petitioner is in custody since 15.07.2019.

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 learned Chief Judicial Magistrate, Siwan in connection with Hussainganj (M.H. Nagar) P.S. Case No. 190 of 2019.

(Rajendra Kumar Mishra, J)

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