

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20582 of 2021

Arising Out of PS. Case No.-320 Year-2020 Thana- GAYA KOTWALI District- Gaya

MD. IBRAHIM Son of Md. Naushad @ Abdul Malik Resident of Mohalla-
Tata Colony, P.S.- Kotwali, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.

As per the prosecution case, it is stated by the informant that on receiving information about a person having been injured by a gun shot injury, the informant visited the hospital. It is stated that the injured disclosed that the accused persons who were his friends had gathered. An illegal firearm was being carried by one of them and in the accidental firing by this petitioner, he had been injured. It is stated that subsequently a raid was conducted in which some of the accused including the petitioner were caught and from the possession of this petitioner a mobile phone and live cartridges were recovered.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and



concocted. No such occurrence as alleged in the FIR has taken place. There is no material against this petitioner except the statement of a co-accused made before police. Other FIR named co-accused have been enlarged on bail vide orders contained in Annexure-2 series. The petitioner is in custody since 9.9.2020 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the submissions made on behalf of the petitioner, charge sheet having been submitted in the case and the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 266 of 2020/320 of 2020 (arising out of Kotwali P.S. Case no. 320 of 2020) 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 Additional Sessions Judge XII, Gaya.

(Partha Sarthy, J)

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