

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34804 of 2021**

Arising Out of PS. Case No.-627 Year-2020 Thana- FORBESGANJ District- Araria

MD IRSHAD @ MICHEL @ MD IRSAD S/o Ansarul Haq R/o Village-
Sayranagar, P.S.-Forbesganj, District-Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 04-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Forbesganj P.S. Case No.
627 of 2020, registered for the offence punishable under
Sections 307/34 of the Indian Penal Code and section 27 of the
Arms Act.

As per the prosecution case, this petitioner is alleged
to have fired upon the informant due to which he sustained
injury.

It is submitted on behalf of the petitioner that from
perusal of FIR, it is apparent that it is a case of accidental firing.
Petitioner fired which accidentally hit the informant Bikash
Kumar Paswan. Petitioner was arrested in Forbesganj PS Case



No. 628 of 2020 arising out of same occurrence and thereafter, on 30.09.2020 remanded in the present case and since then he is in custody. Chargesheet has already been submitted.

Considering the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 627 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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