

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36827 of 2021

Arising Out of PS. Case No.-30 Year-2021 Thana- PIYAR District- Muzaffarpur

Irshad Ansari @ Md. Irshad Ansari Son of Abdul Kalam @ Munna Ansari
Resident of Village - Maheshpur, P.s.- Piar, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 09-12-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Piar P.S. Case No. 30 of 2021, registered for the offence under Section 326, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the F.I.R., on 21.02.2021 at about 11:30 PM, while the son of informant had gone to see *Baraat* of his friend's sister and at the time of *jayamala*, this petitioner and co-accused Naushad Ansari came there and fired from their pistol, which hit son of the informant and one Ritik Raj, as a result of which, both sustained fire-arm injury in their stomach.

It is submitted on behalf of petitioner that during course of investigation, one of the witness namely Chandan Kumar and one of the injured namely Ritik Raj have stated that fire-arm injury was caused by co-accused Naushad Ansari only and both of them i.e. co-accused Naushad Ansari and petitioner



took them on their motorcycle and admitted in hospital. It is further submitted that the alleged firing took place on the eve of *jayamala* and there was no intention to cause injury to any person. Co-accused Naushad Ansari has already been granted by the learned court below itself, vide order annexed as Annexure 2 to the petition, and as such, claiming parity with the co-accused Naushad Ansari, petitioner prays for bail in this case. Petitioner has got clean antecedent and he is in custody since 05.03.2021. Chargesheet has been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Muzaffarpur in connection with Piar P.S. Case No. 30 of 2021.

(Prabhat Kumar Singh, J.)

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