

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24192 of 2020

Arising Out of PS. Case No.-107 Year-2020 Thana- ALOULI District- Khagaria

1. Isrid @ Israil @ Chhito, aged about 60 years, Male, Son of Late Md. Yusuf
2. Md. Aslam, aged about 45 years, Male, S/o Md. Molim
3. Md. Oranjeb, aged about 25 years, Male, S/o Md. Aslam
4. Md. Nur Salam @ Fultun, aged about 22 years, Male, son of Md. Nur Mohammad, all resident of Village- Naya Tola Haripur, P.S.- Allouli, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Praveen Kumar Agrawal, Advocate
For the State	:	Mrs. Veena Rani Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 04-01-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Allouli P.S. Case No. 107 of 2020 registered for the offences punishable under Sections 341, 323, 307, 504, 506, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

Case of the prosecution in brief is that on 08.03.2020 at about 17:15 P.M., accused persons stopped the tempo near Moder School, Haripur in which informant, his son and others were sitting. Accused persons forcefully pushed the informant



out of the tempo. Petitioners namely, Md. Chand and Md. Aslam fired in the air from their pistols in order to create fear among passengers. Accused namely Md. Chand has fired pistol on the informant as a result of which informant received fire arm injury on his chin. Reason for the occurrence is that petitioners were stopping the informant to do construction work on the land of the school.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that there is no specific allegation of firing against these petitioners. There is specific allegation of firing against co-accused Md. Chand upon the informant. He further submits that occurrence took place on 08.03.2020 and fardbeyan of the informant was recorded on 13.03.2020 after lapse of six days and F.I.R. was registered on 20.03.2020 after lapse of 13 days from the date of the occurrence.

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

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a



period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Allouli P.S. Case No. 107 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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