

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37808 of 2020

Arising Out of PS. Case No.-285 Year-2019 Thana- BIRPUR District- Supaul

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Md Samsad, aged about 45 years, Male, Son of Md Arju @ Sidik, Resident of
Village - Sitapur, Ward No. 14, Police Station-Balua Bazar, District– Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Arun, Advocate.

For the Opposite Party : Mr. B.N. Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-02-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks bail in a case for the offence

registered under Sections 307/34 of the I.P.C. and 25(1-b)a, 26

and 27 of the Arms Act.

The prosecution story, in brief, is that on 21.12.2019

at about 5.00 P.M., the informant went to his field to save his

Maize from animals and during the course of chasing animals,

co-accused Vijay Kumar Mehta stopped him for chasing



animals and opened fire from his pistol upon the son of the informant which caused stomach injury. It is further alleged that co-accused opened second firing which hit in the left thigh of the informant and third firing was also made by co-accused Vijay Kumar Mehta.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 16.06.2020. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has come in the present case on the basis of confessional statement of co-accused. The allegation of firing is against co-accused. Firearm is said to have been recovered from the co-accused Vijay Kumar Mehta.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Ist Birpur, Supaul, in



connection with Birpur P.S. Case No. 285/2019.

(Sudhir Singh, J)

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