

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41049 of 2020

Arising Out of PS. Case No.-318 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Noor Mohammad @ Dasai S/o Gulam Rasool Resident of Village- Sherma
Basantpur, P.S.- Kanti, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar no.1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-03-2021 Heard learned counsel for the petitioner and

learned A.P.P for the State.

The petitioner has filed the instant application for
grant of regular bail in connection with Kanti P.S. Case no. 318
of 2020 registered under sections 307, 341, 379 and 506 of the
Indian Penal Code and section 27 of the Arms Act.

As per allegation in the F.I.R., it is submitted that
on being confronted as to why he was plucking the fruits, the
petitioner threatened and thereafter fired from his pistol which
hit the informant in his left hand.

It is submitted by learned counsel for the petitioner
that the allegations as levelled in the F.I.R. are false and
concocted. While the allegations against the petitioner is
specific of having fired on the informant hitting him on his left
hand, referring to the order of the learned Court below wherein



the injury report of the informant has been mentioned and discussed, it is submitted that from perusal of the same it would transpire that no firearm injury has been found on the person of the informant. In the opinion of the doctor the injury has been caused by hard and blunt substance. The petitioner is in custody since 18.9.2020, he has no criminal antecedent and charge-sheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, the contents of the order of the learned Court below together with the petitioner being in custody since 18.9.2020, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Kanti P.S. Case no. 318 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 S.D.J.M. (West), Muzaffarpur.

(Partha Sarthy, J)

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