

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.358 of 2021**

Arising Out of PS. Case No.-320 Year-2020 Thana- GAYA KOTWALI District- Gaya

Md. Ekram Son of Md. Kalam Resident of Village- Ekwali Nagar, P.S.-  
Kotwali, Distt.-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate  
For the State : Mr. Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      22-02-2021      Heard learned counsel for the petitioner and the learned  
APP for the State.

Learned counsel for the petitioner is expected to honor his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon.

The petitioner seeks bail in Kotwali PS Case No.320 of 2020 instituted for the offence under Sections 399 and 402 of the Indian Penal Code and Section 25(1-b)A/26/27/35 of the Arms Act.

On information regarding some persons being injured by firing, the police have gone to the hospital where the petitioner was found with gunshot injury. It is alleged that upon his disclosure 4 to 5 co-accused persons were apprehended along with arms.

Learned counsel for the petitioner submits that it is a case of false implication. The petitioner has sustained the injuries while he had gone for defecation and he had no concern with the



accused persons who have been apprehended and he is in custody since 13.09.2020 having no criminal antecedents.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, 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 the learned Chief Judicial Magistrate Gaya, in connection with Kotwali PS Case No.320 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

shyambihari/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

