

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.969 of 2021

Arising Out of PS. Case No.-813 Year-2019 Thana- JAHANABAD District- Jehanabad

MD. TIPU @ MD. TIPPU @ LANGRAH, Son of Md. Shamshad, Resident
of Mohalla- Jafarganj, Jehanabad, P.S.- Jehanabad in the district of Jehanabad.
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 153A, 147, 148, 149, 302,
188 & 153 of the Indian Penal Code and Section 27 of the Arms
Act.

Prosecution case in brief is that on 11.10.2019 at
about 11 am, the informant came at the house of Vishnu Kumar
to inform him to not come out from the house. In the meanwhile
about 100 people of Mohalla-Jafarganj and local vicinity under
the leadership of Ex-Ward Parshad Md. Kalimuddin arrived at
the house of Vishnu Kumar and out of them 2 to 4 persons
pointed the pistol on Vishnu Kumar. The informant tried to
rescue him but accused persons pushed him as a result of which
he fell down on the ground and accused Golden fired on Vishnu
Kumar and fled away. The informant claimed to identify 19



accused persons named in the FIR including the petitioner. The victim was admitted in Sadar Hospital, Jehanabad for treatment where the doctor declared him dead.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the member of the mob. There is no specific allegation against the petitioner and there is no overt act against the petitioner. There is specific allegation against the co-accused namely Golden who fired on the victim and fled away. The petitioner is languishing in judicial custody since 03.09.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Jehanabad P.S. Case No. 813/2019 to the satisfaction of learned Court below where the case is pending.

(Anjani Kumar Sharan, J)

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