

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2558 of 2021

Arising Out of PS. Case No.-50 Year-2020 Thana- BHARGAMA District- Araria

Md. Sagir (Male) aged about 60 years son of Hafiz resident of Village-
Chharrapatti, Birnagar, P.S- Bhargama, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navjot Yesu

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 06-04-2021 Heard Mr. Navjot Yesu, learned counsel for the

petitioner, learned counsel for the informant and Mr. Umesh Lal

Verma, learned counsel appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Bhargama P.S. Case No. 50 of 2020 registered for the offence

under Section 188, 269, 270, 341, 323, 324, 326, 307/34 of the

I.P.C. and Section 27 of the Arms Act.

The allegation as per the First Information Report is

that the petitioner along with other accused persons and the

informant were holding a meeting regarding partition of land

and in that meeting on the exhortation of the petitioner the co-

accused / Md. Sahabuddin fired upon the informant due to

which he received two gun shot injuries.



Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to land dispute between the parties. He further submits that both the parties are co-sharers and from perusal of the First Information Report it would be evident that petitioner is at best the order giver. Learned counsel further submits that petitioner has got no criminal antecedent and he is in custody since 03.10.2020.

On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits that at the instance of the petitioner the co-accused fired upon the informant due to which gun shot injuries were caused to the informant.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that both the parties are co-sharers, the petitioner is the order giver and he is in custody since 03.10.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No. 50 of 2020.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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