

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5131 of 2021

Arising Out of PS. Case No.-267 Year-2019 Thana- KISHUNPUR District- Supaul

MD. ASRAF @ MD. ASRAF ALI S/o Haider Ali @ Md. Haider Ali Resident
of Village- Sisauni, Kalali Tola, P.S.- Kishanpur, Distt- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-07-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 323, 307, 120(B) of the Indian Penal Code and
27 of the Arms Act.

Allegedly, while the informant's brother was proceeding to
convene a Panchayati, in the way, the accused persons opened fire as
a result of which, the informant's brother sustained fire-arm injury.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has been falsely implicated in the present case. There is no allegation



of assault alleged against the petitioner. The specific allegation of assault is alleged against co-accused namely Sultan. Altogether 8 known persons including 10 unknown persons are named in the FIR.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Kishanpur P.S. Case No. 267 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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