

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 10159 of 2021

Arising Out of PS. Case No.-198 Year-2020 Thana- KHAIRA District- Saran

Amir Hussain Alias Samir Hussain Son of Imam Hussain Resident of Village-
Khaira, P.S.-Khaira, District-Saran at Chapra

... .. Petitioner/s

Versus

State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Adv.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-07-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Khaira P.S. Case no. 198 of 2020 registered under sections 302, 307 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the F.I.R., on the orders of Shatrughan Bhakt it is stated that Nawab Hussain shot the informant's father in his temple as a result of which he fell down. Thereafter the other named accused persons including the petitioner herein went away firing in the air.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From perusal of the F.I.R. together with the contents of the



postmortem report, the sole assailant of the deceased is co-accused Nawab Hussain. The case of the petitioner stands on a similar footing to that of co-accused Vinod Kumar Singh who has been enlarged on bail vide order dated 26.5.2021 passed in Cr.Misc.no.229 of 2021. The petitioner is in custody since 17.7.2020 and has no criminal antecedent.

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 facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Khaira P.S. Case no. 198 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 Judicial Magistrate, Saran at Chapra.

(Partha Sarthy, J)

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