

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2775 of 2022

Arising Out of PS. Case No.-105 Year-2020 Thana- KUNDWACHAINPUR District- East
Champaran

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SALIM JAVED Son of Raisul Azam Resident of Village- Guwabari, P.S.-
Kundwa Chainpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Sri Baxi S.R.P. Sinha, Sr.Adv. Mr.Arvind Kumar, Adv.
For the Opposite Party/s :		Mr.Umeshanand Pandit,APP Mr.Ratneshwar Prasad,Adv.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-05-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 307, 302 and other allied sections of the Indian Penal Code as well as Section 27 of the Arms Act.

As per the prosecution case, this petitioner alongwith co-accused Sarfe Alam fired from their respective pistols, which hit stomach of the deceased and during course of treatment, he died.

It is submitted on behalf of petitioner that though, allegation of firing is against this petitioner, but specific allegation of firing, which hit the deceased, is against co-accused Sarfe Alam. In the *post-mortem* report also, there is only one fire-arm injury on the person of deceased. Petitioner is



in custody since 27.08.2021.

However, learned A.P.P. for the State and learned counsel for the informant opposed the bail petition.

Considering the aforesaid facts and circumstances as well as *post-mortem* report of the deceased and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.C.J.M. V, Sikrahana at Dhaka, District – East Champaran in connection with Kundwa Chainpur P.S. Case No. 105 of 2020.

(Prabhat Kumar Singh, J)

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