

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4823 of 2022

Arising Out of PS. Case No.-230 Year-2021 Thana- KADWA District- Katihar

MD. IKTASHAB ALAM @ SHAHANSHAH Son of Ayub Alam Resident of
Village - Bobra, P.S. - Kadwa, District - Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr.Md. Helal Ahmad, Adv.

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 21-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Kadwa
P.S. Case No. 230 of 2021 registered for the offences punishable
under Section 307 of the Indian Penal Code and Sections 25(1-
b)a, 26, 27 of the Arms Act.

Briefly stated fact of the prosecution case is that
son of the informant namely Saddam Husain was sat at his shop
and all of a sudden petitioner came on motorcycle and fired
shot upon the informant's son as a result of which he fell down
unconsciously.

Learned counsel for the petitioner submits that



petitioner is in custody since 13.09.2021 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner. He submits that petitioner fired shot which hit the informant's son as a result of which he fell unconsciously and the same allegation is supported by re-statement as well as statement of victim and corroborated by the injury report.

Considering this aspect of the matter that there is specific allegation of firing against the petitioner and the same is corroborated by the injury report, I am not inclined to grant bail to the petitioner. Hence, prayer for bail of the petitioner stands rejected.

However, if the trial is not concluded within nine months from the date of receipt/production of copy of this order, the petitioner may renew prayer of bail.

(Alok Kumar Pandey, J)

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