

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31067 of 2021

Arising Out of PS. Case No.-8 Year-2021 Thana- MIRGANJ District- Gopalganj

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GUFRAN @ GURFAN ALAM @ BUTAN S/O NUR MOHAMMAD R/o
village- Pratappur, P.S.- Hussainganj, District- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 120B, 506 and 34 of the Indian Penal Code, section 27 of the Arms Act and sections 3 and 4 of the Explosive Substance Act.

As per the prosecution case, while the informant and his friend were sitting at his office, as a result of indiscriminate firing by four unknown accused persons, the son of the informant was injured and died in course of treatment.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R. His name transpired in course of investigation in the statement of the informant recorded in paragraph no. 9 of the case diary wherein he raises a suspicion against the petitioner to the effect that the petitioner



had come under his employment in the restaurant only a few months ago, he was close with Pawan Kushwaha and at the time of occurrence, he had gone and sat nearby in another shop. It is submitted that no material has transpired in course of investigation to connect the petitioner with the alleged crime. No overt act has been alleged against the petitioner. The petitioner is in custody since 11.1.2021 and chargesheet has been submitted in the case. He has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation, the petitioner having remained in custody for 1 year and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Mirganj P.S. Case no.8 of 2021 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 Additional Chief Judicial Magistrate XVI, Gopalganj.

(Partha Sarthy, J)

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