

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22318 of 2022**

Arising Out of PS. Case No.-199 Year-2021 Thana- BALRAMPUR District- Katihar

GULAM SARWAR Son of md. Siddik Resident of Village - Kirora, P.S. -
Balrampur, District - katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Manzer Karim

For the Opposite Party/s : Mr.Jagdhar Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 120(B)/34 of the Indian Penal Code

As per the prosecution case, the co-accused, Mahib Akhtar @ Moulvi fired at the informant's brother which hit into his stomach. The injured brother of the informant narrated the name of the petitioner and other accused persons.



Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. He further submitted that the main allegation of firing is against the co-accused, Mohib Akhtar @ Moulvi. There is no overt act against the petitioner. The petitioner has clean antecedent as stated at para 3 of the bail petition and he is in custody since 07.03.2022. Learned counsel for the petitioner further submits that the other co-accused person has already been granted bail by Coordinate Bench of this Court vide order dated 26.05.2022 passed in Cr. Misc. No. 14299 of 2022.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-VI, Katihar, in connection with Balrampur P.S. Case No. 199 of 2021, with condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner will liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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