

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26151 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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TANISH KUMAR SON OF RAJIV KUMAR R/O MOHALLA-
RAJENDRAPURI, SPEAKER CHAWK, P.S.- KAZI MOHAMMADEPUR,
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Singh

For the Opposite Party/s : Mr.Nirmala Kumari

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

ORAL ORDER

2 24-08-2022 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 u/s 341, 323, 324, 307, 302,

120B and 504 read with 34 of the Indian Penal Code and 27 of

the Arms Act.

As per the prosecution case, the informant has alleged

that the petitioner and co-accused persons started abusing and

assaulting the informant's son Yasir Arafat and his friend Rehan



who took tea with Aashish, Abdullah, Sonam, Smith, Utkarsh and reached near Remrho restaurant. In the mean time, the co-accused Golu Singh and Pritam Thakur started firing from their pistols which hit near the chest of the informant's son Arafat and the neck of Rehan causing severe injuries to them. The informant's son Arafat fell down and died on the spot. The injured Rehan was taken to hospital for treatment.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is not named in the F.I.R. and the name of the petitioner has sprung up in the confessional statement of Harsh Raj and co-accused Pritam Thakur. As per F.I.R., the specific allegation of firing is against the co-accused Pritam Thakur and Golu Singh. There is no specific allegation against the petitioner. The petitioner is in custody since 11.01.2022

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that as per the confessional statement of co-accused, it is clear that the petitioner is involved in the alleged crime.

Considering the aforesaid facts and circumstances of



this case, the petitioner is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Muzaffarpur , in connection with Kazi Mohammadpur P.S. Case No. 11 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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