

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50867 of 2021**

Arising Out of PS. Case No.-23 Year-2020 Thana- BANGARA District- Samastipur

MD. AJAJ @ MD. EZAZ S/O Md. Mojid R/O- Village - Rahimabad, P.S. -
N.H. Bangra, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 21-03-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with N.H. Bangra @ Bangara P.S. Case No. 23/2020, registered for the offence punishable under Sections 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the petitioner and other co-accused persons having caught hold of the husband of the informant, whereafter one of the co-accused person, namely, Md. Azami, had fired gunshots on the husband of the informant resulting in his death.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 27.3.2021. It is also submitted that similarly situated co-accused person, namely, Dilip Chaudhary, has already been granted bail by a coordinate Bench of this Court vide order dated 28.6.2021 passed in Criminal Miscellaneous No. 4478 of 2021.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner



is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Samastipur in connection with N.H. Bangra @ Bangara P.S. Case No. 23/2020.

(Mohit Kumar Shah, J)

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