

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54544 of 2021

Arising Out of PS. Case No.-753 Year-2020 Thana- SARAIYA District- Muzaffarpur

MD. NASEEM AHMED @ MD. NASIM AHMAD S/o Late Abdul Aziz @
Ajj Mian R/o Vi- Sabalopur @ Sawalpur, Muslim Tola, P.S.- Sonpur,
District- Saran at Chhapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kr. Srivastava
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-01-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video conferencing.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 393, 307 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, on 22.11.2020 at around 9.30 AM, the informant and his staff were going on cash van from Chapra to Siwan and reached near Bakhra cold storage, one white coloured car tried to intercept the vehicle of informant and the accused persons sitting in the car started indiscriminate firing due to which driver of the cash van got fire arm injuries.

Learned counsel appearing for the petitioner submits



that petitioner is not named in the FIR. The name of petitioner has come in this case during the course of investigation in the confessional statement of co-accused, Vivek Kumar. No incriminating article has been recovered from the possession of the petitioner and till date the petitioner has not been put on Test Identification Parade. It is further submitted that petitioner is blind person and he has lost finger of his left hand and, thus, it is not possible for the petitioner to participate in such occurrence. Petitioner claims clean antecedent and is in custody since 09.01.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Muzaffarpur in connection with Saraiya PS case No.753/2020.

(Prabhat Kumar Singh, J)

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