

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48736 of 2022

Arising Out of PS. Case No.-400 Year-2019 Thana- GOGRI District- Khagaria

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AZAD @ MD AZAD, aged about 32 years (Male), Son of Md. Taiyab @ Taiyab, Resident of Village - Chhoti Malia, P.S.- Gogri, Distt.- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Viveka Nandsingh, Advocate
For the Opposite Party : Mr. Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to remove the defect (s), as pointed out by the office, within a period of four weeks.

The petitioner seeks bail in connection with Gogri P.S. Case No. 400/2019 registered for the offence under Sections 302/34 of the I.P.C. and Section 27 of the Arms Act.

The prosecution case, in brief, is that the petitioner and others forcefully took the informant's son outside from his house and co-accused Md. Istiyak fired upon the deceased.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.06.2022. Charge sheet has been submitted in the present case. There is no allegation of



tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. For oblique reason, the name of the petitioner has transpired in the present case. Other co-accused have been granted bail vide Cr. Misc. No. 22030 of 2020 under order dated 12.02.2021 and Cr. Misc. No. 23074 of 2021 under order dated 09.08.2021 by another Co-ordinate Benches of this Court.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above-named, is directed to be released 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 Chief Judicial Magistrate, Khagaria, in connection with Gogri P.S. Case No. 400/2019.

(Sudhir Singh, J)

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