

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49713 of 2022

Arising Out of PS. Case No.-439 Year-2021 Thana- GOGRI District- Khagaria

1. MD. MIRAJ KHAN @ MD. MIRAJ SON OF HABIBUDDIN ALAM R/O VILLAGE- RATAN, P.S.- GOGARI, DISTRICT- KHAGARIA
2. MD. RINKU @ AHSAN EMAM KHAN SON OF LATE ALI RAJA @ ALI RAJA KHAN R/O VILLAGE- RATAN, P.S.- GOGARI, DISTRICT- KHAGARIA
3. MD. RAHMAT @ MD. RAHMAT KHAN SON OF MD. ISLAM KHAN R/O VILLAGE- RATAN, P.S.- GOGARI, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners is directed to
remove the defects within four weeks.

Petitioners apprehend their arrest in a case registered
for offence punishable u/s 307, 427, 34 of the IPC and
Section 27 of the Arms Act.

Allegedly, the accused persons named in F.I.R.
including the petitioners entered into informant's cabbage
field. Informant raised alarm upon which petitioner no. 1&3
fired with katta which bullet hit left arm of informant.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to local party politics. No such occurrence, in the manner as alleged, has ever taken place. There is specific allegation against the petitioner nos. 1 & 3 that they have made fire with country made pistol caused the informant received fired arm injury in his left arm but it is matter of surprise that the alleged injury is simple in nature. It is further submitted that from the bare perusal of injury report it appears that entire prosecution case is completely false and concocted because as per the allegation no fired arm injury has been received by the informant. Petitioners have one criminal antecedents.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to



the satisfaction of the learned court below where the case is pending/Successor Court in connection with Gogari P.S. Case No.439 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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