

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3068 of 2023

Arising Out of PS. Case No.-218 Year-2022 Thana- BAISI District- Purnia

1. JAINUL Son of Sufi Fajil @ Fajlur Rahaman R/v- Chhatiyan Pokhariya, P.S.- Baisi, District- Purnea
2. JAMIL AKHTAR Son of Sufi Fajil @ Fajlur Rahaman R/v- Chhatiyan Pokhariya, P.S.- Baisi, District- Purnea
3. SHAMIM Son of Sufi Fajil @ Fajlur Rahaman R/v- Chhatiyan Pokhariya, P.S.- Baisi, District- Purnea
4. MARGUB Son of Sufi Fajil @ Fajlur Rahaman R/v- Chhatiyan Pokhariya, P.S.- Baisi, District- Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mazher Alam, Advocate
For the State	:	Mr.Murli Dhar, Addl Public Prosecutor
for the informant		Mr. RN Poddar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioners, the State and the informant.

Petitioners apprehend arrest in a case registered for offence punishable under sections 307, 504/34 and other ancillary sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, all the FIR named accused persons including these petitioners assaulted the informant and caused firing as a result of which informant sustained injuries.



Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Doctor has found simple injuries. It is further submitted that there is delay of three days in lodging of the FIR and there is no plausible explanation of delay which itself creates doubt over the prosecution case. Petitioners have got no criminal antecedent.

Learned counsel appearing for the State as well as the informant oppose the prayer for bail. They submit that the petitioners are named in the FIR. There is specific allegation that the petitioners caused gunshot injuries to the informant.

In view of the nature and gravity of allegation, prayer for bail of the petitioners is refused.

(Prabhat Kumar Singh, J)

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