

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4434 of 2023

Arising Out of PS. Case No.-376 Year-2019 Thana- NATHNAGAR District- Bhagalpur

Md. Ismile S/O Md. Manjoor Resident Of Village- Silater House, Nathnagar,
P.S.- Nathnagar, District- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Vivek

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 25(1-b)a, 26, 27 of Arms Act and Section 307, 448, 504, 506 of the Indian Penal Code.

The allegation against the petitioner is that he opened fire upon the informant to which he narrowly escaped.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has



falsely been implicated in the present case on the basis of his criminal antecedents. Informant has not sustained any injury. From perusal of the impugned order it appears that nothing incriminating has been recovered from the conscious possession of the petitioner. The charges has been framed against the petitioner. From perusal of the progress report (kept at flag A), it is evident that none of the prosecution evidence has been examined or cross-examined till 13th of April, 2023. Moreover, the petitioner was remanded in this case on 05.08.2019 and since then he is languishing in judicial custody.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on



bail in connection with Nathnagar P.S. Case No. 376 of 2019 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge V, Bhagalpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

U		T	
---	--	---	--

