

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23696 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- HUSSAINGANJ District- Siwan

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Aftab Alam @ Md. Aftab @ Md. Aftab Alam S/O Late Meer Hamja R/O
Village- Chaanp, P.S- Sarai Op, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv Ms.Kumari Anupam
For the Opposite Party/s	:	Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120B and 307 of the Indian Penal Code and Section 27 of Arms Act.

As per allegation in the FIR, informant is a candidate of MLA election and he was going to his parental home by his endeavour car and his followers were by another vehicles. In the meantime, inside the scorpio, some people started firing as a result of which one Binod Yadav died on the way to hospital and one person got injured from firing.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to political rivalry. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. It is also submitted that no consistent material has come against him during investigation to implicate him in this alleged offence and also the informant is not the eye witness of the alleged occurrence. Similarly situated several co-accused persons have already been granted bail by the different co-ordinate Bench of this Court vide order dated 14.07.2023. in Cr. Misc. No. 21577 of 2023 and order dated 28.06.2023 in Cr. Misc. No. 20491 of 2023. Moreover, the petitioner is languishing in judicial custody since 01.08.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hussainganj P.S. Case No. 92 of 2022 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the
satisfaction of learned Sessions Judge, Siwan.

(Sunil Kumar Panwar, J)

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