

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27172 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Sadam Alam Son Of Mohammad Anamul Haque @ Jainul @ Jainul Sipahi
Resident Of Mohalla -Madar Darwaja, Kila, Ps- Sasaram (M), Dist- Rohtas
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jawed Gaffar Khan, Advocate,
For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sasaram (Town) P.S. Case No. 33 of 2023 dated 16.01.2023 instituted for the offence punishable under Sections 341, 307, 34 of the Indian Penal Code and 27 of Arms Act.

3. The prosecution case, in short, is that on 15.01.2023 at 11.00 P.M., the petitioner with co-accused persons came to reception party of the informant and caused nuisance on which, the petitioner objected. It is further alleged that on objection, one of the co-accused, namely, Badshah fired gun shot which hit one Abzal Faruquee, a servant of the informant, and caused injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this



case. Learned counsel for the petitioner submits that there is no specific allegation of firing against the petitioner. Learned counsel for the petitioner submits that the petitioner is a driver who is always driving the police vehicle of Mofassil Thana. Learned counsel for the petitioner submits that there is no connection to the petitioner from co-accused persons. Learned counsel for the petitioner further submits that nothing has been recovered from physical and conscious possession of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 16.01.2023 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram, in Sasaram (T) P.S. Case No. 33 of 2023.

(Khatim Reza, J)

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