

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28719 of 2023**

Arising Out of PS. Case No.-697 Year-2021 Thana- NATHNAGAR District- Bhagalpur

ZIBRAIL Son of Late Jhakho @ Mohammed Jhakho Miyan Resident of
Bhatauria, P.S.-Madhusdanpur District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 18-09-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
03.01.2023 in connection with Nathnagar (Madhusugandhpur)
P.S. Case No. 697 of 2021, F.I.R. dated 14.12.2021 registered
for the offence punishable under Sections 394/302 of the Indian
Penal Code and Sections 25(1-b)a, 26/27 of Arms Act.

3. The prosecution story in nutshell is that on
14.12.2021, the informant received information on his mobile,
that some miscreants have opened fire on his son and he was
lying injured near Tuta Pull Sajour Pakki Road. Further it is
alleged that the miscreants after snatching his motorcycle and
Rs. 10,000/- fled away.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has been transpired during investigation. Further submits that after ten days of the occurrence, the witnesses in paragraphs-50,51 and 64 of the case diary have taken the name of the petitioner and C.D.R. location of the petitioner suggests that the petitioner was involved in the present occurrence and there is direct and specific allegation against the petitioner that he alongwith other co-accused persons have fired upon the victim and C.D.R. locaiton of the petitioner suggests that the petitioner was present at the place of occurrence.

5. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Nathnagar (Madhusugandhpur) P.S. Case No. 697 of 2021 pending in the court of learned J.M.-1st Class, Bhagalpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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