

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40269 of 2023

Arising Out of PS. Case No.-15 Year-2022 Thana- MIRGANJ District- Gopalganj

Imteyaz Khan Son Of Ushman Khan Resident Of Village- Briti Tola
(BALAHATA), Ps- Uchkagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 24-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Mirganj P.S. Case No. 15 of 2022 dated 11.01.2022 registered for the offences u/s 302 read with section 34 of the Indian Penal Code and 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have fired on the informant's father indiscriminately due to that his father died during the course of treatment.

5. Learned counsel for the petitioner has submitted



that the petitioners is innocent and has falsely been implicated in this case. There is no eye witness in this case. There is general and omnibus allegation against the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 16.08.2022 passed in Cr. Misc. No. 17969 of 2022. The petitioner has got three other criminal cases in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 28.02.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Mirganj P.S. Case No. 15 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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