

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44245 of 2023

Arising Out of PS. Case No.-194 Year-2021 Thana- PIRBAHOR District- Patna

MD. AFTAB ALAM SON OF MD. HASIB @ MD. HASIR MIYA
RESIDENT OF P.M.C.H SERVAN QUARTER, P.S. - PIRBAHORE,
DISTRICT - PATNA PRESENTLY RESIDING AT VILLAGE - DARGAH
ROAD, MANDAI, P.S. - SULTANGANJ, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ambuj Kumar Chandra, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

- 2 31-07-2023
1. 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 Pirbahore P.S. Case No. 194 of 2021 dated 04.05.2021 registered for the offences punishable u/ss 147, 148, 149, 341, 323 & 307 of the Indian Penal Code and Section 27 of the Arms Act.
 4. As per the prosecution case, 7 to 8 FIR named accused persons including the petitioner, variously armed,



surrounded the informant's husband and made indiscriminate firing on him in the PMCH premises and when he tried to run away to save himself, the petitioner and other co-accused persons made firing on him as a result of which he sustained two fire arms injuries each on his shoulder and hand, whereas one of the shots fired by the accused persons hit a stranger, namely, Jyoti.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The name of the petitioner has surfaced only on the basis of suspicion. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 04.03.2022 passed in Cr. Misc. No. 69750 of 2021. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.01.2023.

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, Patna in connection with Pirbahore P.S. Case No. 194 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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