

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51514 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- SHRI NAGAR District- Madhepura

MD. KAUSHER @ MD. KOUSHAR S/o Md. Jamal Resident of Village-
Pokhariya, Ward No.01 @ Ramnagar Mahesh, P.S.- Srinagar, District-
Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar Jha

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 15-02-2023 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 341, 323,
307, 326, 120B, 506/34 of the Indian Penal Code.

As per prosecution case, the informant alleged that the
son of the informant was being dragged by the petitioner and
along with co-accused persons. On order of Md. Jamal, co-
accused Osama fired upon the right temple of the informant's
son as a result of which he sustained firearm injury. Thereafter,
injured was taken to hospital for treatment.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The



petitioner and informant are co-villager and there is previous animosity between them due to which the petitioner has falsely been implicated in this present case. Specific allegation of firing upon the informant's son is against co-accused namely, Osama not against this petitioner. It is further submitted that the case has been lodged by the informant in delay of five days. The petitioner is languishing in judicial custody since 12.4.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Srinagar P.S. Case No. 14 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 S.D.J.M., Madhepura/ concerned Court.

(Sunil Kumar Panwar, J)

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