

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55325 of 2023

Arising Out of PS. Case No.-293 Year-2022 Thana- PATEPUR District- Vaishali

MD. GAUHAR ALI @ GABBAR SON OF MD. ABHINAJAN @
AMINAJAM @ ABHINAJAV @ AMIN AJAM RESIDENT OF VILLAGE-
CHAINPUR BANGRA, PS- MANIYARI, DISTT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rina Sinha

For the Opposite Party/s : Mr.Surendra Prasad Singh

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

ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Patepur P.S. Case No. 293 of 2022 dated 9.11.2022 registered for the offences punishable u/s 147, 148, 149, 323, 307 of the Indian Penal Code and further 302 of the IPC and 27 of the Arms Act were added.

3. As per the prosecution case, the co-accused persons along with 4 unknown miscreants are alleged to have opened fire on the informant's son due to dispute regarding the auction of the bus stand. The co-accused persons namely, Md. Sahjad and Manish Rai fired and the informant's son received two gunshot injuries on his chest. Further, the co-accused persons



fled away from the place of occurrence.

4. 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 petitioner is not named in the FIR. His name has sprung up in the confessional statement of the co-accused, Ashish Ranjan. Learned counsel has further submitted that the specific allegation is against the co-accused persons Md. Sahjad and Manish Rai. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 27.7.2023 passed in Cr. Misc. No. 45050 of 2023. The petitioner is accused in 1 more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 24.12.2022.

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

6. 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, Vaishali at Hajipur in connection with Patepur P.S.
Case No. 293 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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