

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65204 of 2023

Arising Out of PS. Case No.-274 Year-2023 Thana- RANIGANJ District- Araria

Md. Arshad @ Arshad @ Arshad Alam Son Of Late Khakhu R/O Vill-
Parmanadpur, Ward No. 4, Ps- Raniganj, Dist- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 149, 302 , 147 and 120B of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against co-accused persons, namely, Wasik and Jamil is that they fired upon one Md. Moim on the order of this petitioner due to which he sustained gun shot injury and he died. It is further alleged that when other person came to save the deceased then other co-accused persons assaulted him as well.

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



falsely been implicated in this case. It is further submitted that no any allegation of firing against the petitioner rather the allegation of firing upon the deceased is against co-accused persons, namely, Wasik and Jamil. Only allegation against the petitioner is that he gave order to kill the deceased. Nothing consistent material has come against the petitioner. Moreover, he is languishing in judicial custody since 03.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Raniganj P.S. Case No. 274 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Araria.

(Sunil Kumar Panwar, J)

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