

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1143 of 2023

Arising Out of PS. Case No.-218 Year-2022 Thana- BAISI District- Purnia

Jahid Alam, Son Of Fazlur Rahman R/V- Chhatiyon Pokhariya, P.S.- Baisi,
District- Purnea

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mazher Alam
For the State	:	Mr. Ashok Kumar Singh
For the Informant	:	Mr. Ravindra Kumar Choudhary
		Mr. Rama Nand Poddar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-03-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State through video conferencing.

The petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 04.09.2022, he is a person with clean antecedent and the informant alleges that on 31.05.2022 at about 1.00 A.M. when he came out of his house to attend the call of nature, he saw Jainul, Jahid, Jamin, Shamim, Marguv along with unknown persons waiting outside his house. Thereafter, all the accused persons gagged him and assaulted



and left thinking that informant died, but when informant regained consciousness and tried to flee from the place of occurrence, the accused persons saw him and thereafter, started firing and one of the bullets hit his arm causing injury.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that allegation of firing is general and omnibus in nature. It is also submitted that it absolutely does not stand to reason that if so many accused would have assaulted the informant in the manner, it has been alleged, then injury would not have been found simple as stands recorded in the injury report at Annexure-2. It is also submitted that even gunshot injury is suspected.

The learned counsel for the informant as well as the learned A.P.P. opposes the bail application, but are not able to meet the submission of the learned counsel for the petitioner that injury found was simple and the gunshot injury is suspected as stands recorded in the injury report.

Considering the submission made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in



the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Baisi P. S. Case No. 218 of 2022.

The application stands allowed.

(Satyavrat Verma, J)

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