

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6858 of 2024

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

Md. Rizwan @ Raja Babu Son of Tabrak Hussain R/o vill - Chainpur Bangra
Wajid, P.s. - Maniyari, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Patepur
P.S. Case No. 293 of 2022 instituted for the offences under
Sections 147, 148, 149, 323, 337, 302 of the Indian Penal Code
and Section 27 of the Arms Act.

3. As per prosecution case, the co-accused persons
along with four unknown miscreants are alleged to have opened
fire on the son of the Informant. It is alleged that the co-
accused/Md. Sahjad and Manish Rai opened fire due to which
the son of the Informant received two gunshot injuries on his
chest. Thereafter, the accused persons fled away from there.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to dirty village politics. He further submits that the petitioner is not named in the F.I.R. rather his name has sprung in this case only on the basis of confessional statement of co-accused/Jauhar Ali. Nothing incriminating has been recovered from the possession of the petitioner. Charge-sheet has been submitted in this case. The petitioner has two criminal antecedents as has been stated in Para-3 of the present bail application and in both of them, he is on bail. The petitioner is languishing in judicial custody since 01.10.2023.

5. Learned counsel for the petitioner submits that the co-accused/Md. Gauhar Ali @ Gabbar has been granted bail by a Co-ordinate Bench of this Court vide order dated 31.08.2023 passed in Cr. Misc. No. 55325 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the claim based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of Court below/concerned Court in
connection with Patepur P.S. Case No. 293 of 2022.

(Rudra Prakash Mishra, J)

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