

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41544 of 2024

Arising Out of PS. Case No.-145 Year-2019 Thana- SURSAND District- Sitamarhi

Rashid @ Raja @ Md. Rashid Hussain Son of Md. Muzibul Rahman @ Md. Moziur Rahman @ Mozibul Rahman R/O Village- Chandpatti, Virpur Tola, P.S.- Sursand, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Sursand P. S. Case No. 145 of 2019 in a case registered for the offences punishable under Section 307 of the Indian Penal Code and Sections 27 and 35 of the Arms Act.

3. As per the prosecution case, on 11.05.2019 at about 2 PM, while the informant was sitting in front of a restaurant, all the F.I.R. named accused persons including this petitioner came there on a motorcycle and co-accused Santosh Singh fired upon the informant which hit the back of informant and he fell down. It is further alleged that all the accused persons assaulted informant by butt of pistol and thereafter, fled away.



4. Learned counsel for the petitioner submits that specific accusation of firing is against co-accused Santosh Singh. Doctor has found only two injuries on the body of informant, one caused by firearms and other injury was caused by hard and blunt substance and both of them were found to be simple in nature. Petitioner is in custody since 04.03.2024. Charge-sheet has already been submitted.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of injury and period of custody, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Pupari, Sitamarhi in connection with Sursand P. S. Case No. 145 of 2019.

(Prabhat Kumar Singh, J)

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