

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48251 of 2024

Arising Out of PS. Case No.-442 Year-2023 Thana- KADAMKUAN District- Patna

Md. Imtiyaz Alam @ Vicky @ Md Emtiyaz S/O Md. Shamim R/O Alamganj
Market Gali,P.S.-Alamganj, Distt-Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Rajeev

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under section 302 of the Indian Penal Code and section 27 of the Arms Act. Thereafter added Section 302, 120(B)/34 of Indian Penal Code and Section 25(1-B)a, 27 of Arms Act.

3. As per allegation in the FIR, nephew of the informant has received fire arm injury and during treatment at PMCH, Patna, he died.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. FIR is against unknown. On suspicion, four accused persons were arrested by the police who confessed the name of petitioner as one of their associates. A statement has been made in para 3 of



the petition that petitioner has no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 8.8.2023. Similarly situated several co-accused persons have been granted bail by this Court.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that one pistol was recovered from the house of the petitioner, which is used in the incident.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge XIII, Patna in connection with Kadamkuan P.S. Case No. 442 of 2023.

(Sunil Kumar Panwar, J)

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