

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56006 of 2024

Arising Out of PS. Case No.-125 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

MD. FARHAN @ BITTU SON OF JIYAULLAH RESIDENT OF VILLAGE
- MARIPUR, P.S. - KAZI MOHAMMADPUR, DISTRICT -
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Ibrahim, Adv
For the Opposite Party/s : Mr.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Brahampura P.S. Case No. 125 of 2023 lodged on
18.06.2023 for offences punishable under Section 307/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution story F.I.R has been lodged
against two named and one unknown accused persons including
the petitioner with an allegation of firing gun shot upon the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that at the occurrence of 17.06.2023 when he was



returning from Majlis, all of sudden three person came on scooty and fired gun shot upon the informant due to which he received injury of two gunshot. He has identified two persons out of which one is the present petitioner. He has stated reason of attack in the F.I.R. only. He further submits that informant himself has disclosed in the F.I.R. that it was night when occurrence has took place and at night it is difficult to identify anyone. He further submits that the name of the petitioner has been inserted in this case at the instance of the informant as previous enmity exist between informant and the petitioner. He further submits that antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail and submits that fire arm injury is upon the petitioner himself that he has fired repeated gun shot.

6. As such, considering the aforesaid facts and circumstances, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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