

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57287 of 2024

Arising Out of PS. Case No.-56 Year-2024 Thana- SAMASTIPUR District- Samastipur

Md. Hasnain @ Md. Hasnen son of Md. Islam Khan @ Md. Islam R/o-
Kewas Nizamat Ps- Samastipur Muffasil Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Ajay Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Samastipur Town P.S. Case No. 56/2024 dated 22.02.2024 registered for the offence punishable u/s 341, 323, 324, 307, 504 and 506 read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused person along with two unknown miscreants boarded on two motorcycles are alleged to have stopped the informant and one unknown miscreant sat on the e-rickshaw from which the informant was going. In the meantime, a miscreant put pistol on the temple of the informant and stopped the vehicle forcibly.



Thereafter, the co-accused, Md. Aslam fired on the informant causing firearm injury on the right arm and the petitioner also fired on the informant but she saved. After raising alarm, local people gathered there and all the miscreants fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The specific allegation of firing is against the co-accused, Md. Aslam. Learned counsel has submitted that the occurrence took place on 29.01.2024 but the FIR has been lodged on 22.02.2024 i.e., delay of 24 days. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Samastipur Town P.S. Case No. 56/2024.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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