

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81195 of 2023

Arising Out of PS. Case No.-707 Year-2023 Thana- SASARAM NAGAR District- Rohtas

MD. AMIR @ MD AAMIR @MD. GUFRAN AALAM SON OF LATE
AALAM KURAISHI @ MD. AALAM@ALAM RESIDENT OF VILLAGE
KHILANGANJ SASARAM PS SASARAM DISTRICT ROHTAS

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR PATNA

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Shashikant , Advocate
For the Opposite Party/s : Mr. Manoj Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341 , 323 , 302, 307, 504
and 506 of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and
time of the occurrence, while *Afroz @ Chikku, Chand Khand*
and *Sanu Rahman* going towards *Alamganj*, on the way nine
accused persons including the petitioner arrived there and some



hot talk exchanged between them. It is further alleged that co-accused *Naushad Raines @ Lallu* fired pistol in the stomach of one *Afroz @ Chiku* as a result of which he died on the spot and thereafter co-accused *Sonu Raiene* fired at *Sonu Rahman* which hit his leg.

4. Learned counsel for the petitioner submits that there is no specific overt act alleged against this petitioner. He is only alleged to be the member of the mob. Specific allegation of firing is against co-accused *Naushad Raines @ Lallu* and *Sonu Raines*. There is no allegation of overt act against this petitioner. Similarly situated co-accused person has already granted bail by this Court vide order dated 22.02.2024 in Cr. Misc. No. 12676 of 2024 . Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Sasaram, Rohtas in connection with sasaram (Town) P.S. case No. 707 of 2023 , subject to the



conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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