

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86417 of 2023

Arising Out of PS. Case No.-139 Year-2022 Thana- KHAJAULI District- Madhubani

Md. Javed Son Of Abdul Khalik Resident Of Village- Ranipur, Ps- Benipatti,
Dist- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash
		Mr. Gagandeo Yadav
For the Opposite Party/s	:	Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 307, 302, 120(B) of the Indian Penal Code and Section 27 of Arms Act.

Prosecution case in nutshell is that when the informant was going to plot of gitti-sand from Durga Madir Chowk, he heard the sound of firing. When he rushed towards the plot, he saw the accused persons hurling weapons in their hands and fled away towards



Khajauli. When the informant reached at the place of occurrence, he found that his son and one person sustained has sustained gun shot injury. Thereafter, they were taken to hospital where doctor declared the informant's son brought dead.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner has no concern with the said land. Neither he was apprehended on spot nor anything incriminating has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 03.10.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated several co-accused persons have been granted bail by this Court as well as co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Khajauli P.S. Case No. 139 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st, Madhubani.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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