

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82359 of 2023

Arising Out of PS. Case No.-533 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

Oshama Sahab S/o Late Dr. Md. Shahabuddin, R/o Village- Pratappur, P.S.-
Hussainganj, Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate.

For the State : Mr. Jai Narain Thakur, APP.

For the Informant : Mr. Shashank Shekhar, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Motihari Town P.S. Case No.533 of 2023, registered for the
offences punishable under Sections 447, 341, 323, 324, 307, 384,
427, 504, 506, 34, 120(B) of the Indian Penal Code and Section
27 of the Arms Act.

3. As per the prosecution case, the allegation against the
petitioner is that he and other co-accused persons started
indiscriminate firing on the informant but he saved himself
anyhow. It is further alleged that on order of the petitioner, co-
accused person started damaging the property of the informant.
The main allegation is against co-accused Mukhtar Mian that he
gave *katar* blow on Gopi Rai.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case due to land dispute between the informant and his uncle. He further submits that co-accused Mukhtar Mian and Raju Mishra @ Satyendra Narayan Mishra have been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 28.11.2023 passed in Cr. Misc. No.71561 of 2023. He also submits that petitioner is in jail custody since 01.11.2023 and he has two criminal antecedents out of which in one case the Police has submitted final form and in another case he has been allowed bail.

5. Learned APP for the State and learned counsel for the informant have opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Motihari Town P.S. Case No.533 of 2023.

(Sunil Dutta Mishra, J)

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