

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2359 of 2024

Arising Out of PS. Case No.-511 Year-2022 Thana- GAYA KOTWALI District- Gaya

Md. Anjer @ Md. Anjer Faruki S/O MD. NAYEEM @ MD. NAIEM
FARUKI RESIDENT OF JAMA MASJID ROAD, PURAB SARAI, PS.
KOTWALI, DIST. GAYA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 147, 148, 149 of the Indian Penal Code and Section 27 of Arms Act.

3. As per prosecution case, it is a case of commission of murder of the informant's son namely, Md. Faizal by gunshot injury by several accused persons including the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of FIR, it appears there is general and omnibus allegation against the petitioner. The informant himself is not an eye witness to the



alleged occurrence. Only on the basis of suspicion, the informant named the petitioner as an assailant. It is further submitted that the deceased was having some dispute with Mayank who threatened to kill him and Mayank has already been granted bail by a co-ordinate Bench of this Court vide order dt. 26.7.2023 passed in Cr. Misc. No. 326662 of 2023. Moreover, the petitioner is languishing in judicial custody since 22.3.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gaya Kotwali P.S. Case No. 511 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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