

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5978 of 2015

Arising Out of PS.Case No. -23 Year- 2014 Thana -MARKAHI District- KHAGARIA

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1. Sikandar S/O Md.Ajj Resident of vill- Navtolia, Marar P.S-Morkahi,
Distt.- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate.

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 12-03-2015 Heard both sides.

The petitioner seeks bail in Morkahi P.S. Case No. 23 of 2014, registered for the offences punishable under Sections 325, 307, 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Md. Kayum the informant named the petitioner and other accused persons and alleged that on account of land dispute and falling of boundary wall the occurrence took place. It is alleged that all the accused persons assaulted the informant and others with Lathi and Danda. The petitioner Sikandar is alleged to have fired aiming at the informant, but the informant did not receive any firearm injury. Israt is alleged to have fired which hit in the abdomen of Md. Mokim the brother of the informant who

died.

Learned counsel for the petitioner submits that the petitioner is not the assailant. No injury was found on the body of the informant. Other accused persons have already been enlarged on bail by the learned Sessions Judge.

It appears that the firing made by the petitioner did not hit the informant and thereafter Israt opened fire which hit Md. Mokim in his abdomen and consequently Md. Mokim died.

Considering the facts aforesaid the petitioner above named is directed to 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 Sub-Divisional Judicial Magistrate, Khagaria in connection with Morkahi P.S. Case No. 23 of 2014.

(Prabhat Kumar Jha, J.)

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