

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33857 of 2015

Arising Out of PS.Case No. -359 Year- 2014 Thana -ARA NAGAR District- BHOJPUR

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Md. Taslim S/o - Late Amin Mian resident of village - Dharhara, P.S.- Ara
Town , District - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Bhushan, Adv.

For the Opposite Party/s : Mr. Anita Kumari (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-08-2015 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner is languishing in jail custody since
16.03.2015 in connection with Ara Town P.S. Case o. 359 of 2014
(corresponding to G.R. No. 4238 of 2014) for offences alleged
under Sections 147,148,149,307,302, 120B of the Indian Penal
Code and 27 of the Arms Act.

The prosecution case is that one Birendra Kumar recorded
his fardbeyan on 13.09.2014 before the Sub-Inspector in Sadar
Hospital, Bhojpur, Ara It is stated that while his cousin brother
Mintu Kumar, was returning from the shop, Ekram Alam, Md.
Jafar, Md. Arif, Chand Mian & Md. Taslim, Md. Shamshad
surrounded Mintu Kumar and thereafter Ekram Mian fired upon
his chest with country made pistol which caused injury behind the
back of Mintu Kumar. It is further stated that Jafar Mian also fired

which caused injury in the right palm of Mintu Kumar. It is also stated that all accused made indiscriminate firing. Thereafter the local people assembled and hospitalized Mintu Kumar and during course of treatment he died. It is also stated that the root cause of the occurrence was the previous enmity between the brother of the deceased namely Deepu Teli and Ekram Mian.

It has been submitted by the counsel for the petitioner that there is no direct allegation of assault against this petitioner. It has further been submitted that two main accused namely, Md. Jafar Alam and Ekram Alam have been acquitted on the ground of benefit of doubt by the Sessions Judge, Bhojpur, Ara by order dated 26.06.2015 in connection with Sessions Trial No. 02 of 2015 arising out of the same very case.

Under such circumstances, let the petitioner Md. Taslim, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Ara, Bhojpur in Ara Town P.S. Case No. 359 of 2014 (Corresponding to G.R. No. 4238 of 2014.

(Nilu Agrawal, J)

Prakash/-

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