

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5636 of 2015

Arising Out of PS.Case No. -63 Year- 2014 Thana -NIMCHAKBATHANI District- GAYA

1. Mumtaz Khan S/o Shamim Khan Resident of Village Simraur, P.S. Nimchak Bathani, District Gaya.

.... .. Petitioner/s

Versus

1. The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Pradip Nr.Kumar(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 11.02.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Nimchak Bathani P. S. case no. 63/2014 registered under section 307 and other allied sections of the IPC and 27 of the Arms Act.

Admittedly, none has sustained any injury in the present case and no specific overt-act has been attributed against the petitioner. So far as criminal antecedent of the petitioner is concerned, it appears that prior to institution of the present case, one case Nimchak Bathani P. S. case no. 62/2014 was instituted against the petitioner.

The submission on behalf of the petitioner is that aforesaid case was lodged with similar story by the maternal uncle of the present informant.

Considering the aforesaid facts and circumstances as well as

submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in Nimchak Bathani P. S. case no. 63/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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