

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31240 of 2015

Arising Out of PS.Case No. -120 Year- 2014 Thana -AMDABAD District- KATI HAR

- =====
1. Taleb Son of Late Junab Ali
 2. Khaleque Son of Late Junab Ali All are residents of Village - Bablabanna, P.S. - Amdabad, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Ahmad Ali(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2015 Heard learned counsel for the petitioners and the State.

The petitioner are apprehending his arrest in a case instituted under Section 307 and other allied Sections of the Indian Penal Code and Section 25(1-b)a, 27 and 35 of Arms Act.

The allegation against the petitioner and other co-accused is that they demanded Rangdari of Rs. 5000/-, which was handed over and when started snatching 40 Kg. fish which was opposed then fired and Jharu gave knife blow on the head, which was avoided by hand and the hand was injured. Rudal Singh sustained fire arm injury.

On behalf of the petitioner, it has been submitted that there is no overt act, as alleged against the petitioner and the petitioner has been made accused in this case due to mistake of

fact. The main allegation is against one Jharu.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri R.K.Mishra, Judicial Magistrate, 1st Class, Katihar in connection with Amdabad P.S.Case No. 120/2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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