

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50066 of 2015**

Arising Out of PS.Case No. -2 Year- 2015 Thana -FATEHPUR District- KISANGANJ

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Sabbir Alam @ Md. Sagir Son of Hasiruddin, Resident of Village - Khatta Basti, P.s. - Tedhagachh, District - Kishanganj.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amal Kumar Sinha

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

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**  
**ORAL ORDER**

3      07-12-2015                      Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Fatehpur P.S. Case No. 02 of 2015 registered under Sections 323, 353, 307,504 and 34 of the Indian Penal Code.

The accusation is that when the vehicle, Tata Magic Van bearing No. BR11T 4107 of the petitioner, which was being driven by Santosh Paswan, was tried to stop by the informant and Officials of S.S.B. then the driver of the vehicle increased the speed very high, in which Arbind Kumar was dashed, who fell down at the long distance, at that time, Dewan Rajwansi assaulted through rod at the shoulder of constable Ajay Kumar and the vehicle was concealed near the border in the house of Dewan

Rajbanshi.

Learned counsel appearing on behalf of the petitioner submits that petitioner, being the owner of the vehicle, has falsely been implicated in the present case without any overt act. It is also submitted that petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Kishanganj in connection with Fatehpur P.S. Case No. 02 of 2015 subject to the condition as laid down under Section 438(2) of the Cr. P.C. Out of two sureties, one surety must be parents or close relatives of the petitioner, who shall file an affidavit before the Court below showing the relationship with the petitioner.

**(Rajendra Kumar Mishra, J.)**

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