

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55498 of 2015

Arising Out of PS.Case No. -115 Year- 2015 Thana -PHULPARAS District- MADHUBANI

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1. Abdul Kadir @ Md. Kadir Miya @ Kadar Miya Son of Sikandar Miya
Resident of Village- Bagha, P.s Khutauna, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Arvind Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-12-2015

Petitioner is apprehending his arrest in a case

registered for the offences punishable under Sections 147, 148,
149, 323, 324, 307, 435 of the Indian Penal Code and Section
25(1-B)a, 26, 27 of the Arms Act.

The prosecution case is that in the
background of land dispute the accused persons including the
petitioner came and demolished the house of the informant and
when the villagers came to rescue then this petitioner fired
from his gun causing injury on the head of the cousin of the
informant. Co-accused Shiv Shankar Kamat also resorted to
fire on the cousin of the informant but it did not cause injury.
Co-accused Sujit Kumar came and assaulted the other cousin
of the informant on his head. The accused persons also
assaulted the mother and other family members of the
informant.

It is submitted by learned counsel for the petitioner that in the background of land dispute the accusation has been levelled and the injury of Shyam Kamat has been found to be caused by hard and blunt substance whereas the accusation is of causing injury by gun.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail, if the petitioner surrenders within a period of six weeks in connection with Phulparas P.S. Case No. 115 of 2015, pending in the Court of learned Sub-Divisional Judicial Magistrate, Jhanjharpur.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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