

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8027 of 2015**

Arising Out of PS.Case No. -304 Year- 2014 Thana –BARHARIA (GB Nagar) District- SIWAN

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Faruque Siddique @ Tinku Son of Late Md. Zabir Ali resident of village-  
Dindayalpur, Police Station- Gautam Budh Nagar(Tarwara), District-  
Siwan.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance:**

For the Petitioner/s : Mr. Umesh Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      25-03-2015                      Heard learned counsel for the petitioner, learned  
  
A.P.P. for the State and learned counsel appearing for the  
  
informant.

The petitioner seeks bail in a case under Section 302  
and other sections of the Indian Penal Code.

Asraf Ali, the informant, named the petitioner along  
with other accused persons and alleged that they came to his  
Darwaza in search of his son Musarraaf Ali. Musarraaf Ali came out.  
Pintu caught Musarraaf Ali and Chhotu @ Afaque Ahmad  
assaulted him with sword. When the informant and his wife tried  
to save their son, Tinku (the petitioner), Ajam and Twinkle  
assaulted the informant and his wife.

It is submitted that the petitioner Faruque Siddique  
@ Tinku is not the assailant of the deceased. The assailant of the

deceased is Afak Ahmad @ Chhotu and Pintu. The informant got two injuries and his wife got one swelling injury. Three persons including the petitioner are alleged to have assaulted the informant and his wife. Similarly situated co-accused Azam @ Azam Ekbal has already been granted bail vide order passed in Cr. Misc. No. 9392/2015.

Learned A.P.P. and learned counsel for the informant did not dispute the fact that the petitioner is not the assailant of the deceased and the informant and his wife appear to have got simple injuries.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Siwan in Sessions Trial No. 03 of 2015, arising out of Barharia (G.B. Nagar) P.S. Case No. 304 of 2014.

**(Prabhat Kumar Jha, J)**

Dilip/-

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