

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30397 of 2014

Arising Out of PS.Case No. -79 Year- 2014 Thana -ARA NAGAR District- BHOJPUR

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1. Chappu Miyan @ Shawkat Miyan @ Chappu Miyan @ Shaukat Miyan,
Son of Md. Hafiz, resident of village- Bhaluhipur, P.S.- Ara Town, District-
Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad, Adv.

For the Opposite Party/s : Mr. Braj Kishore Prasad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 20-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection with Ara Town P.S. Case No. 79 of 2014 registered for the offences punishable under Section 307/34 of the Indian Penal Code and 27 of the Arms Act, seeks the privilege of pre-arrest bail.

Allegedly, the informant was being detained by one Ghar Bharan Bind and in the meantime Pintoo Teli and the petitioner with two unknown came there and Pintoo Teli pointed out pistol and pressurized to compromise the case which was lodged for the murder of the son of the informant and also fired, which was misfired and then the informant tried to catch hold of Pintoo Teli but he fled away and in that course, from his hand, one

polythene containing one black shirt and three live cartridges of .315 bore was dropped. The brother and son of the informant also tried to catch hold of them but three persons fled away.

Submission is that the petitioner has been falsely implicated. There is no specific allegation for committing any overt act against him and this case has been lodged only with a view to put further pressure, to which the learned A.P.P. opposes.

Considering that against the petitioner, there is no allegation for committing any overt act, and as such, the petitioner in case of his arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Ara, Bhojpur in connection with Ara Town P.S. Case No. 79 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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