

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35627 of 2014

Arising Out of PS.Case No. -6 Year- 2007 Thana -RAUTA District- PURNIA

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1. Abu Zafar Son of Ishak Resident of village- Mangalpur, P.S.- Rauta,
District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Anish Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 08-04-2015 Heard learned counsel for the petitioner and learned

counsel representing the State.

Petitioner apprehends his arrest in connection with

Rauta P.S. Case No. 06 of 2007 registered for the offences

punishable under Sections 147, 148, 149, 323, 364/34 of the

Indian Penal Code.

At the very outset, it has been submitted that during

investigation the Police found innocence of the petitioner to be

true and has not submitted chargesheet against him and he was not

sent up for trial but the learned Magistrate after differing with the

opinion of the Investigating Officer took cognizance against the

petitioner and other co-accused, and as such, the petitioner deserve

sympathetic consideration as in this case two other similarly

situated co-accused namely, Nazeem and Tashim Alam @ Tashim have been admitted to pre-arrest bail by another Bench of this Court vide order dated 09.12.2013 and 24.12.2013 passed in Cr. Misc. No. 46848 and 23378 of 2013 respectively to which the learned APP is not in a position to distinguish the case of the petitioner from that of co-accused.

In the facts and circumstances stated above, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a 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 Sri A. Mishra, J. M. Ist Class, Purnea in connection with Rourkela P.S. Case No. 06 of 2007, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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