

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22562 of 2015

Arising Out of PS.Case No. -88 Year- 2009 Thana -KURSAKANTA District- ARRARIA

- =====
1. Md. Ayub Alam @ Md. Ayub S/o Saidul Rahman
2. Soudagar Paswan S/o Late Kachu paswan Both are R/o Village Dahuwabari, P.S. Kursakanta, District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Pathak

For the Opposite Party/s : Mr. Pronati Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-05-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 341,324,307,353 and 120B of the Indian Penal Code and section 27 of the Arms Act.

It is alleged by the chowkidar Kishundeo Paswan that while he was patrolling on the motorcycle, the accused persons obstructed the road by putting bamboo. Petitioner no. 2 who was pillion rider of the informant got down to remove the obstruction, in the meantime co accused Wajuddin alias Ojhwa appeared and fired causing injury on the back of the informant. Thereafter the petitioner no. 2 raised alarm and the miscreants escaped from the

scene. Petitioner no. 1 was named in the FIR but during investigation petitioner no. 2 was made accused.

It is submitted by learned counsel for the petitioners that the accusation of firing is not against the petitioners.

Considering the fact that the case was instituted in 2009, let the learned court below consider the prayer for regular bail of the petitioners in case the petitioners surrender within six weeks from today in connection with Kursakanta P.S. Case No. 88 of 2009 pending in the court of learned J.M. Ist Class, Araria.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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