

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44142 of 2014

Arising Out of PS.Case No. -82 Year- 2014 Thana -BARSOI District- KATIHAR

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Gul Afaz @ Gul Alfaz son of Aiyub, Resident of Village- Bankota, P.S.
Barsoi, District- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Pary/s : Mr. S.Eheteshamuddin, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

5 30-07-2015

The petitioner and several others figured as accused in Barsoi PS Case No.82 of 2014, wherein offences punishable under Sections 147, 148, 149, 323, 324, 504 and 379 of the Indian Penal Code were alleged.

Apprehending arrest, the petitioner along with another co-accused filed ABP No.525 of 2014 in the court of Sessions Judge, Katihar. The learned Sessions Judge granted anticipatory bail to all the accused except the petitioner through order dated 15.9.2014.

Hence this application.

Heard learned counsel for the petitioner and the learned A.P.P.

The trial court took note of the fact that cases and counter-cases are there between the parties and granted bail to almost all the accused. The only reason mentioned for not granting bail to the petitioner is that he is alleged to have wielded his

sword. The fact however remains that no serious injury was caused to the complainant. The various allegations made in the FIR need to be examined in the trial.

Hence, this application is allowed.

It is directed that in the event of his arrest or surrender, the petitioner, namely, Gul Afaz @ Gul Alfaz, shall be released 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 Judicial Magistrate 1st Class, Katihar, in connection with Barsoi PS Case No. 82 of 2014, subject to the conditions as laid down under Section 438(2) CrPC.

(L. Narasimha Reddy,CJ)

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