

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2722 of 2015

Arising Out of PS.Case No. -333 Year- 2007 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Hamid Akhtar Son of Late Azfar Hussain Resident of Village - Sheikh Bahuara, P.S. - Kochas, District - Rohtas at present officiating as Superintendent of Police, Rewari, Haryana.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Dr.M.K.Gautam(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-01-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code and section 27 of the Arms Act.

It is alleged that the father of the informant was going to Sasaram to attend a case pending in the court. Subsequently, the informant came to know that someone killed his father. The informant saw Makhan Mian, Hussain Ansari and Shakil going on motorcycle towards bus-stand.

It is submitted by learned counsel for the petitioner that only on suspicion the accusation has been levelled. The petitioner is not named in the FIR and is an IPS Officer. It is further

submitted that the police after investigation, submitted final form on 28.12.2011 and vide order dated 9.5.2014 the learned C.J.M., Kaimoor at Bhabua issued summons against the petitioner though the case instituted in 2007. It has also been submitted that FIR named accused Nisatur Rahman has been granted bail vide Cr. Misc. No. 12625 of 2008 and other named accused vide Cr. Misc. No. 2517 of 2015. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Kaimur at Bhabua in connection with Mohania P.S. Case No. 333 of 2007 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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