

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26006 of 2015

Arising Out of PS.Case No. -23 Year- 2014 Thana -LODIPUR District- BHAGALPUR

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1. Md. Rizwan @ Rizwan. son of Late Kamal Khuraishi, Resident of Mohalla- Jabbarchak, In front of Nagar Nigam Office, Inside of Salauddin Campus, Police Station- Tatarpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Mr. Rina Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302,307 and 120B/34 of the Indian Penal Code and section 27 of the Arms Act.

It is alleged that while the informant and her husband was returning six accused persons on three motorcycles namely Ajay Bharti, Shivam Bharti and Banti Mandal and three unknown surrounded the husband of the informant and the informant and thereafter three unknown pillion riders shot at the chest of the husband of the informant and thereafter shot at the chest of the informant. Suspicion has been raised against the petitioner since the petitioner being driver of the informant refused to work on the

alleged date of occurrence.

It is submitted by the learned counsel for the petitioner that even assuming the accusation that the firing was made by unknown persons travelling on motorcycle and since the petitioner being driver was known to the informant, only suspicion has been raised against him due to not working on the alleged date of occurrence. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the suspicious nature of accusation, 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, Bhagalpur in connection with Lodipur P.S. Case No. 23 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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