

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37966 of 2015

Arising Out of PS.Case No. -2 Year- 2015 Thana -PRANPUR District- KATIHAR

1. Md. Mosim Son of SK. Sajul Resident of village - Dighoch, P.S. Pranpur,
District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. L.K.Sharma(App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-09-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 23.10.2014 in
a case registered for offences punishable under Sections 341, 323,
504, 307, 302/34 of the Indian Penal Code.

The prosecution case is that when the informant along
with his family members were returning home after praying
Namaz, when they reached near the house of Shakruddin, the
petitioner along with co-accused persons stopped them and abused
them. In the meantime, other co-accused persons also came there
with lathi, danda and iron rod and assaulted them. Resultantly one
Sk. Sharif, Sk. Sakruddin and Sk. Etwari sustained injury and
during course of treatment Sk. Sharif died in the hospital and

thereafter, Sk. Etwari has also died.

Learned counsel for the petitioner submits that the petitioner has clean antecedent as stated in para-3 of the petition. It is also stated that there is no specific allegation against the petitioner, as the allegations against the petitioner are general and omnibus and other co-accused persons on same and similar allegations, have been granted privilege of bail Vide Cr. Misc. No. 18792/2015 dated 31.07.2015 by a co-ordinate Bench of this Court with other analogous applications (Annexure-4 of this application). I do not propose to take a different view as allegations are of similar nature.

In view of the facts and circumstances, let the petitioner, namely, Md. Mosim 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 learned Additional Chief Judicial Magistrate, Katihar in connection with Pranpur P. S. Case No. 2/2015.

(Nilu Agrawal, J)

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