

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55630 of 2015

Arising Out of PS.Case No. -11 Year- 2015 Thana -MANPUR District-
WESTCHAMPARAN(BETTIAH)

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SK. MUSTAFA @ SK. MUSTUFA

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Nitya Nand Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 15-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, namely, Sk. Mustafa @ SK. Mustufa, is
in custody in Manpur P.S. Case No. 11 of 2015 under Sections
147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code.

According to F.I.R. the petitioner with other 16 co-
accused persons having rifle and gun assaulted the informant party
causing fire arm injury to six persons.

The learned counsel for the petitioner submitted that
except one all the injuries on the different persons of the informant
party are simple in nature and that there was dispute between the
parties with regard to land in relation to which, a lease has already
been executed by the petitioner in favour of the informant party.

On the other hand, learned counsel for the informant

submitted that co-accused, Sk. Barister @ SK. Bairister @ SK. Balister, had filed bail application before this Court, which has already been rejected on 14.12.2015 in Cr. Misc. No. 55866 of 2015.

Perused the F.I.R. The allegation is that the co-accused, Sk. Barister @ SK. Bairister @ SK. Balister, had fired causing grievous injury. So far as the present petitioner is concerned, there is no direct allegation that he fired and as a result of which caused injury.

Considering the nature of allegation and the fact that the injuries caused are simple in nature, in my opinion, the case of this petitioner is on different footing and, therefore, I direct the petitioner, named above, to be released on bail on furnishing bail bond of Rs.5,000/- (Five Thousand Rupees) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran in connection with Manpur P.S. Case No. 11 of 2015.

Brajesh/-

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(Mungeshwar Sahoo, J.)