

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4138 of 2016

Arising Out of PS.Case No. -180 Year- 2015 Thana -JALE District- DARBHANGA

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1. Mirza Atique Baig @ Atiqur Baig @ Guddu S/o Late Laddu Baig @ Late Mirza Badiujjama Baig, resident of Village- Garri P.S.- Jalley, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s Mr. R.S. Chaudhary (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 09.02.2016

Heard learned counsel for the petitioner, learned Addl.

Public Prosecutor for the State as well as learned counsel for the informant.

Petitioner is named in the first information report and according to the prosecution case itself, on the alleged date of occurrence, a quarrel took place between the petitioner and the prosecution party and due to intervention of the villagers, matter was pacified. Furthermore, again, informant and others went at the door of Achchan Beig @ Shamim Beig and again, a quarrel took place and in that course, a threatening was given to the prosecution party. Subsequently, when son of Samdhi of the informant was going to bring cold drink and reached at the door of FIR named accused Achchan Beig @ Shamim Beig, he was encircled by the petitioner and other accused and after that he was assaulted but having got

information, informant and his two sons went there and tried to pacify the matter and in that course, FIR named accused Achchan Beig @ Shamim Beig and Tabrej Beig took out guns from their houses and made indiscriminate firings causing death of informant's two sons and it is also stated that FIR named accused Tabrej Beig gave iron rod blow causing head injury to the informant.

No doubt, it is case of double murder but first information report reflects that alleged occurrence took place on the spur of moment and no specific overt-act has been attributed against the petitioner except general allegation of participation in the alleged crime.

Accordingly, petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Darbhanga in Jalley P.S. Case no. 180/2015.

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(Hemant Kumar Srivastava,J)

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