

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24346 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -BELAGANJ District- GAYA

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Ejaz Ahmad @ Ajju Mian S/o Late Sultan Mian, Resident of Village -
Chandauti, P.S. - Belaganj, District - Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Dharendra Kumar, Advocate.

For the Opposite Party : Mr. Arvind Kr.Panday, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 05-08-2016 Heard learned counsel for the petitioner, Shri

Omkar Kuamr learned counsel for the informant and learned APP

for the State.

The petitioner apprehends his arrest in Belaganj P.

S. Case No. 84 of 2016 registered under Sections 302, 147, 148

and 149 of the Indian Penal Code and Section 27 of the Arms

Act.

The informant alleged that twelve F.I.R. named

accused persons including the petitioner came near his field and

they were armed with rifle. The informant alleged that Nanhu

Mian and Sagir Mian fired upon his Bhabhi and she fell down on

the earth. Again they fired on her chest and she died.

Leaned counsel for the petitioner submits that there

is no allegation of firing against the petitioner. Similarly situated co-accused Md. Sarfaraj @ Jhunnu, Sonu Mian and Kalimuddin @ Sanna @ Sannu Mian have been granted anticipatory bail vide order dated 21.07.2016 passed in Criminal Misc. No. 24178 of 2016.

On the other hand, the learned APP and learned counsel appearing on behalf of the informant submitted that regular bail of one Md. Dilshad Mian has been rejected by a bench of this Court vide order dated 20.05.2016 passed in Criminal Misc. No. 21379 of 2016.

It appears that there is no overt act against the petitioner. The petitioner is only named in the F.I.R. The case of the petitioner stands on the same footing as that of Md. Sarfaraj @ Jhunnu, Sonu Mian and Kalimuddin @ Sanna @ Sannu Mian who have been granted anticipatory bail.

Considering the facts aforesaid and the fact that the similarly situated co-accused persons have been granted anticipatory bail, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the

satisfaction of the learned Additional Chief Judicial Magistrate-III, Gaya in Belaganj P. S. Case No. 84 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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