

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56327 of 2015

Arising Out of PS.Case No. -148 Year- 2015 Thana -SIWAN CITY District- SIWAN

Nasim Sae son of Late Minuddin Sae resident of Village Khurmabad
Takia, Police Station - Siwan (Muffasil), District Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amir Alam

For the Opposite Party/s : Mr. Pronati Singh(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 16-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Siwan (Town)
P.S. Case No. 148 of 2015 registered for the offences punishable
under Sections 147, 148, 149, 341, 506, 307, 427/120B of the
Indian Penal Code and under Section 27 of the Arms Act.

Allegedly, the informant was caused threats by co-accused
not to do politics and when the informant was going to file
application in this regard before the Superintendent of Police,
Siwan, he was intercepted by other co-accused and petitioner
with the intention to kill the informant and they opened fire upon
him causing injury to the informant. Thereafter, Mohalla people
brought the informant to Sadar Hospital, Siwant and from there,

he was referred to P.M.C.H., Patna.

Submission is of false implication and that the petitioner has not caused threats earlier, he has been made victim of the circumstances, both the parties are property dealers and there was some business rivalry, three injuries on the person of the informant have been found and causing only one injury is attributed to the petitioner as per the further statement of the informant and as such, petitioner suffering in custody since 04.05.2015 deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that in the further statement the victim has stated that the petitioner opened fire which was misfired and then again he opened fire which hit in the abdomen of the informant and the opinion regarding injury has been kept reserved.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Chief Judicial Magistrate, Siwan arising out of Siwan (Town) P.S. Case No. 148 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court

concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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