

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9298 of 2016

Arising Out of PS.Case No. -149 Year- 2015 Thana -CHAUTHAM District- KHAGARIA

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1. Md. Khalid S/o Md. Khilafat null
2. Md. Khilafat S/o Late Abul Barkat
3. Md. Afroz S/o Late Abul Barkat
4. Md. Firoz S/o Late Abul Barkat
5. Md. Noor Alam S/o Late Ali Hasan
6. Md. Ahad S/o Md. Noor Alam
All of Residents of Village - Sarsaba, P.S. - Chautham, District -
Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-03-2016

It is submitted by the learned counsel for the petitioners that petitioner no. 1 namely Md. Khalid has been arrested and his application has become infructuous.

Accordingly, the application for bail of petitioner no. 1 is dismissed as withdrawn.

Heard learned counsel for the petitioners and the State.

The petitioner nos. 2 to 6 are apprehending their arrest in a case registered for the offences punishable under Sections 341, 307, 504/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that on 24.12.2015 the

First Information Report named accused persons surrounded the informant. Md. Salam resorted to fire from rifle, causing injury on the ear of the informant.

It is submitted by the learned counsel for the petitioner nos. 2 to 6 that petitioners are only member of the mob. No overt act has been attributed against the petitioners. The injury of the informant has been found on the lacerated dressed injury on upper part of right ear pinna, simple in nature caused by hard and blunt substance. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the fact that no overt act has been attributed against the petitioners, let the above named petitioner nos. 2 to 6 be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M., Ist Class, Khagaria in connection with Chautham P.S. Case No. 149 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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