

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20834 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -BHAGWANPUR District- BEGUSARAI

1. Md. Mumtaz Ansari @ Mumtaz Ansari Son of Late Barik Ansari
resident of village - Quadrabad, P.S. Bachhwara, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nazir Ansari

For the Opposite Party/s : Mr. Aslam Ansari(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 19-07-2016

Heard both sides.

The petitioner apprehends his arrest in Bhagwanpur P.S. case No. 73 of 2016 under Section 307 and some other sections of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that 5-7 persons came to his shop. Two of them made firing. One of the shots touched the eyelid of the informant but the informant did not identify any of the miscreants. The informant alleged that he has got suspicion that Md. Mumtaz Ansarai, the petitioner, might have got this incident done because there was dispute with him with regard to transaction of money as the informant paid earlier Rs. 4 lacs to petitioner for executing sale deed.

It is submitted that petitioner had already executed three sale deeds with regard to land standing in his name but the informant wanted to get some more land which is standing in the

name of sister of the petitioner. The informant did not identify the petitioner as one of the accused who made firing.

The learned counsel for the informant as well as the learned Additional Public Prosecutor, however, opposed the prayer for anticipatory bail.

It appears that the informant only suspected that at the instance of the petitioner the occurrence took place but he did not identify the petitioner although he is well acquainted with the petitioner from before.

Considering the facts aforesaid and the nature of allegations made against the petitioner, 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 Chief Judicial Magistrate, Begusarai in Bhagwanpur P.S. Case No. 73 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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