

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39327 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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Md. Jainul, Son of Late-Abdul Gafoor, Resident of Village-Basgrha, Naya Tola, P.S.-Rupauli, District-Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

4 24-11-2016

Heard both sides.

The petitioner seeks bail in Bhawanipur P.S. Case No. 18 of 2016, registered under Sections 302, 120(B) and 34 of the I.P.C. and Section 27 of the Arms Act.

The informant Hamid alleged that Md. Alam, Md. Jainul (petitioner) and Md. Julo @ Chanwa having armed with fire arm came to his house and Md. Alam fired at his son Munna, who died on the spot. Md. Jainul also fired at the informant, but the bullet did not hit the informant. The petitioner Md. Jainul is said to have assaulted the wife of the informant with the butt of the pistol.

Learned counsel for the petitioner submits that petitioner is not an assailant of the deceased. The allegation against the petitioner is that he assaulted the wife of the informant

by means of butt of pistol. The petitioner is in custody since 15.06.2016.

The learned Addl. P.P. did not dispute the facts.

Considering the fact that petitioner is not an assailant of the deceased, the petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Purnea, in Bhwanipur P.S. Case No.18 of 2016.

(Prabhat Kumar Jha, J.)

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