

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6129 of 2016

Arising Out of PS.Case No. -150 Year- 2015 Thana -MAUZAHDIPUR District- BHAGALPUR

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Md. Sonu S/o Md. Rashid Resident of Mohalla-Kasab Tola Maulanachak,
Police Station-Mojahidpur, District-Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 23-02-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with
Mojahidpur P.S. Case No. 150 of 2015 registered for the offences
punishable under Sections 452, 307, 504, 506, 427, 352, 353,
120(B)/34 of the Indian Penal Code, Section 27 of Arms Act and
Section 34 of the Explosive Substance Act.

Allegedly, the petitioner and other co-accused started
hurling bombs and indiscriminate firing on the house of the
informant. Thereafter police was informed but miscreants opened
firing on police party also. However two of them were
apprehended. Earlier also accused persons have tried to kill the
informant by opening firing.

Submission is of false implication and that no injury

has been caused to anyone, the I.O. has not found any empty cartridge or remittance of bombs at the place of occurrence, other co-accused Rahmat Quraishi and Md. Tipu have already been allowed bail vide Criminal Misc. No. 2989 of 2016 and 52772 of 2015 and the petitioner is suffering in custody since 30.10.2015 after his surrender.

Learned A.P.P. is not in a position to distinguish the case of the petitioner from that of co-accused.

In the facts and circumstances stated above, the above named petitioner is also 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 C.J.M. Bhagalpur, in connection with Mojahidpur P.S. Case No. 150 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)

siddharth/-

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