

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18578 of 2016

Arising Out of PS.Case No. -132 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

- =====
1. Md. Javed
 2. Md. Abed @ Abed @ Abid
 3. Md. Alam All sons of Md. Jainuddin resident of village Senduari P.S. Hajipur Sadar Dist. Vaishali

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Petitioner/s
.....

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mohammad Sufyan
For the Opposite Party/s Mr. Zainul Abedin(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 02.05.2016 Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioners seek bail in a case registered under section 302 and other allied sections of the Indian Penal Code.

Petitioner no.2 and petitioner no.3 are named in the first information report whereas petitioner no.1 is not named in the first information report and his name surfaced in course of investigation.

Petitioners and more than 70 persons are said to have come at the house of the informant and mercilessly assaulted the informant's son as well as his daughter-in-law and in that course, they cut the neck of informant's son, namely, Sanjeev Kumar @ Putul as the deceased had dared to solemnize his marriage in different community.

Learned counsel for the petitioners submits that several co-accused persons have already been granted privilege of bail by a

coordinate bench of this court and so far as the petitioners are concerned, no specific overt-act has been attributed against them and their case stands to the case of other co- accused who have already been granted privilege of bail.

It is also submitted by him that one of the surprising feature of the case is that only one injury was found on the neck of the deceased whereas it is alleged that deceased was assaulted by several accused persons. Moreover, it is not clear who caused the aforesaid injury to the deceased.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that investigation against these petitioners has already been completed and having similar allegation several co- accused are enjoying the privilege of bail, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in Hajipur Sadar P.S. Case no. 132/2015.

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(Hemant Kumar Srivastava,J)

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