

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52772 of 2015

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

=====

Md. Tipu, son of Md. Kalim, r/o. of Husainabad, P.S. Mojahidpur, District
Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Hirday Prasad Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 16-02-2016

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. 150/2015 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 the Arms
Act and Sections 3/4 of 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 the Police Party also. However, two of them
were apprehended. Earlier also the accused persons have tried
to kill the informant by opening fire.

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 bomb at the place of occurrence and in this case, a similarly situated co-accused Rahmat Quraishi has already been allowed bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 2989 of 2016 and the petitioner is suffering in custody since 15.09.2015.

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

In the facts and circumstances stated above, the petitioner above named is 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 Chief Judicial Magistrate, Bhagalpur arising out of 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)

kunal/-

U		T	
---	--	---	--