

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9049 of 2016

Arising Out of PS.Case No. -302 Year- 2015 Thana -BARHARIA District- SIWAN

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1. Akhlakh Ahmad @ Akhlakh Mian @ Akhlakh, Son of Nawab Ahmad,
Resident of Village: Mira Chapra, P.S. Barharia, District: Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-02-2016

Heard learned counsel for the petitioner and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 448, 341, 323, 324, 379, 308, 504, 506/34 of the Indian Penal Code.

The prosecution case is that the in the background of earlier dispute on 13.09.2015 co-accused Mahtab Mian resorted to fire, but due to misfire, no injury was caused to anyone, then Mahtab Mian assaulted with butt of the country made pistol to the son of the informant namely Sonu, causing injury on his head. Co-accused Haider took out Rs. 20,000/- from the pocket of the son of the informant. It is alleged that this petitioner along with Anwar Mian, Nawab, Aftab, Kaushar and Sabir entered into the house, when gold chain worth Rs.

30,000/- was snatched by Sabir, then petitioner assaulted with knife to Raja Mian.

It is submitted by the learned counsel for the petitioner that for a petty dispute accusation has been levelled. There is counter version of the occurrence. Impugned order reflects that Ali Raza has received simple injury on the hand and chest.

Considering the genesis of the occurrence, coupled with the statement made in para-6 that petitioner has no criminal antecedent and non-assailant has been granted bail by this Court, hence, it is a case for consideration of prayer for regular bail, let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Barharia P.S. Case No. 302 of 2015, pending in the court of learned Additional Chief Judicial Magistrate-VI, Siwan.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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