

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10228 of 2016

Arising Out of PS.Case No. -62 Year- 2015 Thana -CHANDRADEEP District- JAMUI

1. Md. Meraj Shah @ Meraj Shah S/o Late Manjoor Sah resident of
Village- HENCHOD, Police Station- Chandradip, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Dr.M.K.Gautam(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2016

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
341, 323, 307, 504/34 of the Indian Penal Code and 25(1-
B)a, 26, 27, 35 of the Arms Act.

The prosecution case is that the petitioner was
constructing Cow shed on the land of the Mosque. On
protest being made co-accused Minhaj Shah (brother of
the petitioner) abused the informant. In the meantime, the
petitioner also arrived at the spot when co-accused Minhaj
Shah ordered his friend Md. Ashar @ Sulyan to kill the
informant by firing, thereupon co-accused Md. Ashar @
Sulyan put pistol on the temple of the informant, but
ultimately firing was made in the air. Thereafter the

villagers came, when accused persons escaped from the scene after firing in the air. Co-accused Minhaj Shah and Md. Ashar @ Sulyan were apprehended and from the possession of Md. Ashar @ Sulyan pistol was recovered.

It is submitted by the learned counsel for the petitioner that no overt act has been alleged against the petitioner. Specific accusation is against Md. Ashar @ Sulyan. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent. The petitioner has been roped in the present case because who happens to be brother of Minhaj Shah.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sri Lalan Kumar, J.M., Ist Class, Jamui in connection with Chandradip P.S. Case No. 62 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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