

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54892 of 2016

Arising Out of PS.Case No. -105 Year- 2016 Thana -NAWADA MUFFASIL District- NAWADA

- =====
1. Sabbir Miyan.
 2. Jamil Miyan. Both sons. of Md. Jamal Miyan @ Dara Singh, Both Resident of Village- Shahpur, Police Station Muffasil (Nawada Muffasil), District Nawada (Bihar).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Prem Ranjan Kumar, Advocate.

For the Opposite Party : Mr. Rajkishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Muffasil (Nawada Muffasil) P.S. Case No. 105 of 2016 for the offences instituted under Sections 147, 148, 149, 341, 323, 325, 307, 386, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 29.06.2016 at about 6.00 P.M., the informant being Advocate-cum-A.P.P., Nawada, was going to his house, all the accused persons including the petitioners armed with various weapons surrounded him and Md. Zamal Mian @ Dara Singh demanded Rs. 2,00,000/- as ransom. On refusal, he caught his neck and started pressing it and



on his order, Saheb @ Chunnu gave a Garasa blow with intention to kill him. As a result of which, he sustained injury and fell down on the earth. In the meantime, Md. Zamal Mian assaulted him with iron-rod on his left hand. Md. Jabbar Mian assaulted him with Lathi on the shoulder of his right hand causing injury at Pakhura. Asgar Mian and Md. Jabbar Mian started assaulting with lathi due to which he sustained injury at the finger of his right hand. Thereafter, he was admitted in the hospital in injured condition.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case. The nature of injury is said to be simple, as per Annexure-2 to the present application. No offence under Section 307 IPC is made out.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Muffasil (Nawada Muffasil) P.S. Case No. 105/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount



each to the satisfaction of the learned C.J.M., Nawada, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

