

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51715 of 2015

Arising Out of PS.Case No. -44 Year- 2015 Thana -ALIPUR District- GAYA

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Md. Shakir Hussain @ Shakir Hussain Son of Abdul Shakur Mian resident
of Village Mira Bigha, P.S. Alipur, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Alipur P.S. Case No. 44 of 2015 instituted for the offences
punishable under Sections 147, 148, 149, 341, 323, 324, 307,
337, 338, 153A, 109, 195, 504, 506, 509 of the Indian Penal
Code and Section 27 of the Arms Act.

As per prosecution case, the informant was returning
his home after attending the meeting in respect to organizing
Akhand Kirtan in the local temple, then in course of the way
when he reached near Imambara of the village, then the
petitioners and other accused named in the F.I.R. allegedly

chased him to make assault and in course thereof, when the informant rushed to his house and even put his step on the Varandah thereof, these petitioners chasing him and assaulted brutal manner, though his father and other family members tried to pacify them telling that his son was not the thief, they did not stop and continued to assault him. These petitioners also indulged into brickbatting and stone pelting on the house. The occurrence took place because of the communal feeling.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is a case and counter case between the parties. From perusal of the injury report from the case diary, it appears that the nature of injury is simple.

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 above named petitioner, in the event of his arrest or surrender in the court below within a period of six weeks from today, be released on bail furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sherghatti, Gaya in connection with Alipur P.S. Case No. 44 of

2015, on subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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