

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26613 of 2016

Arising Out of PS.Case No. -11 Year- 2015 Thana -MANPUR District-
WESTCHAMPARAN(BETTIAH)

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Sk. Eklak @ Sk. Akhlakh, Son of Sk. Mustafa, resident of Village-
Parsauni, P.S.- Sahodra, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate
For the State : Mr. Nityanand Tiwary, A.P.P.
For the informant : Mr. Nesar Ahmad,
Mr. Mrityunjay Kumar, Advocates

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 14-07-2016 Heard parties.

The petitioner seeks bail in a case registered under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

According to the first information report, about 17 persons assembled and assaulted the informant side by rifle, gun and hard and blunt substance causing injury to six persons.

It is contended on behalf of the petitioner that except one, all the injuries on the different persons of the informant party are simple in nature whereas petitioner has not been alleged to be in possession of firearm rather there is general and omnibus allegation that he was armed along with other persons other than

those who were specifically carrying gun and were holding lathi, danda etc. It is further contended that his father co-accused, Sk. Mustafa @ SK. Mustufa has already been granted bail by a co-ordinate Bench of this Court vide order dated 15.12.2015 passed in Criminal Miscellaneous No.55630 of 2015 (Annexure 4).

Learned counsel for the informant points out that petitioner has got criminal antecedent as in several cases he has been involved which would appear from Annexure 3. However, it is contended on behalf of the petitioner that in all such cases in which his father was involved, he and his family members were also implicated and his father has already been granted bail vide Annexure 4 and that apart, there is no specific allegation against the petitioner of assault causing any specific injury.

Having regard to the facts and the circumstances of the case, the petitioner, Sk. Eklak @ Sk. Akhlakh, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Bettiah, West Champaran in connection with Manpur P.S. Case No. 11 of 2015.

(Dr. Ravi Ranjan, J)

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