

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24997 of 2017

Arising Out of PS.Case No. -171 Year- 2016 Thana -PUPRI District- SITAMARHI

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1. Md. Jamshaid Rain son of Abdul Gaffar resident of Village - Pupri Ward No. 7, P.S. - Pupri, District - Sitamarhi.
2. Md. Manzoor Rain @ Md. Manzoor son of Hadik Rain resident of Village - Pandrahi, P.S. - Belsand, District - Sitamarhi.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-07-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Pupri P.S.Case No. 171 of 2016 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the Indian Penal Code.

Allegation as per FIR is that petitioners and other co-accused persons came to the house of the informant and assaulted him and thereafter again petitioners and two other accused persons came and assaulted father of the informant and others.

It has been submitted on behalf of the petitioners that there is general and omnibus allegation against all the accused persons, including the petitioners, whereas post mortem report



shows only two injuries are there and it has not been stated that what weapon they have used and petitioners are in custody for eight months and six months respectively.

Heard learned APP and learned counsel for the informant also. They have opposed the prayer for bail stating that there is allegation against these petitioners.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi, in connection with Pupri P.S.Case No. 171 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two



consecutive dates without showing any genuine reason,
the prosecution is free to move for cancellation of their
bail.

(Vinod Kumar Sinha, J)

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