

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40403 of 2017

Arising Out of PS.Case No. -428 Year- 2017 Thana -NAWADA District- NAWADA

- =====
1. Ajeet Mistri, Son of Kesho Mistri,
 2. Sujeet Kumar @ Suraj Kumar @ Suraj @ Sujeet, Son of Dev Nandan Yadav
- Both are resident of Village- Bhadauni, P.S.- Nawada, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha

For the Opposite Party/s : Smt. Pronati Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-10-2017 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners seek bail in connection with Nawada Town P.S. Case No. 428/2017 for offences punishable under Sections 323, 324, 307, 504/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that while he and others were coming after release of Ravindra Mistri from jail, three motorcycle borne nine persons intercepted them. Allegation upon co-accused Sonu Mistri is of assaulting the informant by giving chhura blow. Allegation upon petitioner no. 1 is of taking out pistol and



firing, which did not hit anyone and allegation upon petitioner no. 2 is that he was member of the mob.

It has been submitted by the learned counsel for the petitioners that they are innocent and have been falsely implicated in the aforesaid case, in fact, sister of petitioner no. 1 had filed a dowry case against said Ravindra Mistri and both the petitioners were making pairvi in the said case. He submits that there is no allegation of assault by the petitioners, both of them are languishing in judicial custody since 25.06.2017 and charge-sheet has already been submitted.

However, learned APP for the State opposes the prayer for bail stating therein that the informant was seriously injured.

Considering the facts and circumstances and the materials on record and since there is no allegation of assault against the petitioners, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Nawada Town P.S. Case No. 428/2017, subject to the condition that both the bailors



would be close relatives of the petitioners having sufficient immovable property, who will file an affidavit stating their relationship with the petitioners.

(Nilu Agrawal, J)

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