

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2418 of 2017

Arising Out of PS.Case No. -233 Year- 2016 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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Reyaz Khan, Son of Jaural Haque Khan, Resident of Village- Kolhua
Chautarwa, Police Station- Chautarwa, District- West Champaran (Bettiah).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 04-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Chautarwa P.S.
Case No.233 of 2016 registered under Sections 147, 148, 149, 341, 323,
307, 436 and 504 of the Indian Penal Code besides Section 27 of the
Arms Act.

The accusation is that when the informant Tunna Khan
alongwith his cousin Saddam Khan was coming to his house, in the
way, near the door of Khurshed Ansari, seven persons, named in the
F.I.R., including the petitioner armed with katta, gun and lathi were
standing there. Thereafter, on the order of Sukhal Khan, Chhotak
Miyan and Sukullu Miyan, Babloo Khan alias Mitu Khan fired from his
gun causing injury at the left leg of the informant and Bhannu Khan



fired from his Katta causing injury at Saddam Khan, the cousin of the informant.

Learned counsel appearing on behalf of the petitioner submits that while the petitioner is named in the F.I.R. but he is said to be a member of mob. No specific overt act has been attributed to the petitioner. In fact, the occurrence of “Maar-Peet” took place between the parties in which the father of the petitioner sustained stab injury regarding which Chautarwa P.S. Case No.232 of 2016 was instituted against Saddam Khan, the cousin of the informant, and others, on the basis of the written report of Jaurul Haque Khan, the father of the petitioner, who, later on, died. Further submission is that the petitioner having no criminal antecedent is in custody since 26.11.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Bagaha, West Champaran (Bettiah) in connection with Chautarwa P.S. Case No.233 of 2016.

(Rajendra Kumar Mishra, J)

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