

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8445 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -BALIA District- BEGUSARAI

- =====
1. Md. Jiyaul @ Bholu, S/o Md. Jainul,
 2. Dino Yadav @ Dina Yadav, S/o Lolo Yadav @ Damodar Yadav Both are the resident of Village- Chhoti Balia, Mansoor Chak, P.S.- Balia, District- Begusarai.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-03-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case instituted under Sections 147, 148, 149, 341, 342, 324, 323, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners is that they having armed with deadly weapons surrounded the informant and his son and on the order of Md. Jainul, all the accused persons started assaulting them. It is further alleged that the petitioner no.1 is said to have fired, which hit on the right thigh of Md. Amanullah and the petitioner no.2 is said to have assaulted Md. Ainul. The other co-accused namely Mustafa @ Niras took away Rs. 1100/- from



the informant.

It has been submitted on behalf of the petitioner that the petitioner no.1 is in custody since 02.11.2016 and the petitioner no.2 is in custody since 09.12.2016. Charge sheet has been submitted in the present case. Petitioner no.1 has got one criminal antecedent. As far as the petitioner no.2 is concerned, he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The nature of injury is said to be simple. Hence, no offence under Section 307 of the Indian Penal Code is made out against the petitioners.

On behalf of the state and the counsel for the informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released 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 the learned A.D.J.-VI, Begusarai, in connection with Balia P.S. Case No. 149 of 2016.

(Sudhir Singh, J)

Amit/-

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