

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.148 of 2017

Arising Out of PS.Case No. -356 Year- 2016 Thana -BANKA District- BANKA

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1. Md. Galib
 2. Md. Salib
 3. Md. Sakir All are Sons of Md. Alam Resident of Village- Kharhara,
P.S.- Barhat, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari
For the Opposite Party/s : Mr. Sanjay Kumar Singh

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

2 12-01-2017 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners are accused in connection with Banka (Barahat) P.S. Case No. 356 of 2016, registered under Sections 147, 148, 149, 448, 341, 323, 307, 504 & 506 of the Indian Penal Code, Section 27 of the Arms Act and Section 3 / 4 of Explosive Substance Act.

The accusation is that 15 persons named in the F.I.R., including the petitioners, entered in the house of the informant with intention to kill him. Thereafter, co-accused Md. Salman caused injury through licensee gun at the chest of the informant, whereas petitioner No.1 caused injury through pistol at the right hand of the informant and petitioner Nos. 2 and 3 hurled bomb causing injury to the informant.

Learned counsel for the petitioners submits that



the injuries found on the person of the informant are simple in nature, which is detailed in the order dated 02.12.2016 whereby the prayer of the petitioners and one Md. Salman have been rejected by the Addl. Sessions Judge-IV, Banka. Further submission is that, in fact, at the time of occurrence, the petitioner no.1 also sustained fire arm injury regarding which on the basis of written report of petitioner No. 2 Banka (Barahat) P.S. Case No. 357 of 2016, under Sections 147, 148, 149, 447, 341, 323, 307, 504 & 506 of the Indian Penal Code, Section 27 of the Arms Act and Section 3 / 4 of Explosive Substance Act was instituted against nine persons including the informant of the present case.

Having regard to the facts and the circumstances of the case, the petitioners, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in connection with Banka (Barahat) P.S. Case No. 356 of 2016. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner.

(Rajendra Kumar Mishra, J)

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