

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34047 of 2017

Arising Out of PS. Case No.-129 Year-2016 Thana- MANIHARI District- Katihar

=====

Asgar Ali Son of Late Nsarat Hussain, R/o Mohalla- Kulipura, P.S.- Nagar
(Katihar), District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anshuman Jaipuriyar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 14-09-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Manihari

P.S. Case No. 129 of 2016, G.R. No. 2109 of 2016 registered

for the offence punishable under Section 302 and other allied

sections of the Indian Penal Code and Section 27 of the Arms

Act.

The prosecution case, as lodged by the informant, is

that about 100 persons variously armed with rifle, bows and

arrows and other weapons came to the door of the informant

and started indiscriminate assault and firing, which hit his

brother, who succumbed to the injuries.

It has been submitted by the learned counsel for the

petitioner that there was a mob attack and 33 persons have been



named. Petitioner is alleged to be the order giver along with other co-accused and that there was land dispute between the parties. He submits that there is no specific allegation against the petitioner and some of the co-accused have been granted the privilege of bail by the learned Court below itself and one of the co-accused has been granted the privilege of anticipatory bail by a coordinate Bench of this Court in Cr. Misc. No. 870 of 2017 on 18.04.2017. He submits that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 16.05.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of Smt. S.K. Singh, learned Judicial Magistrate 1st Class, Katihar in connection with Manihari P.S. Case No. 129 of 2016, G.R. No. 2109 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates



without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

