

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44504 of 2017

Arising Out of PS.Case No. -366 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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Md. Shahid Ali @ Shahid Ali, son of Late Md. Hafij Raza, resident of
Village- Tari Mohalla, P.S. Ara (Town), District- Bhojpur at Ara.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary

For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-10-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Ara
Town P.S.Case No. 366 of 2017 registered for the offences
punishable under Sections 302, 120B/34 of the Indian Penal Code
and 27 of the Arms Act.

Petitioner is named in the FIR and allegation against him
and co-accused persons is of firing on the informant. So far this
petitioner is concerned, there is allegation that earlier he along
with others tried to grab land of the informant and made firing
upon him.

Submission of learned counsel for the petitioner is that
FIR itself shows that petitioner has no hand in the present
occurrence and he has been made accused only because of the fact



that there was rivalry between the parties from before and he is in custody for three months.

Heard learned APP also, who has opposed the prayer for bail stating that petitioner is conspirator in killing the informant and grabbing his land and he has been made accused in three other cases also.

Having heard both sides and in the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara, in connection with Ara Town P.S.Case No. 366 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties in the jurisdiction of court concerned,
- (2) Petitioner shall co-operate in trial and appear on each and every date fixed in court and failure to appear on two consecutive dates without any genuine reason or without permission of court, his bail bond shall be liable to be cancelled.



- (3) Petitioner will mark his attendance in local police station in first week of every month till conclusion of trial or for a period of one year, so that police may watch his conduct during the period of trial.

(Vinod Kumar Sinha, J)

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