

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40169 of 2017

Arising Out of PS.Case No. -197 Year- 2017 Thana -UDWANTNAGAR District- BHOJPUR

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1. Veyash Mouar son of Late Ram Iqwal Mouar @ Bala Mouar resident of Village- Amharua, Police Station Tarari, in the District of Bhojpur presently residing in Village- Surhani, Police Station- Udwantnagar, in the district of Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 02-11-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Udwantnagar Police Station Case No. 197 of 2017, disclosing offences under Sections 341, 323, 447 , 307, 506/34 and later on Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that there is general and omnibus allegation against the petitioner and no specific overt act is attributed to him rather the main allegation of firing which hit the stomach of the deceased resultantly the deceased died during course of treatment is



against the co-accused, Niku Choudhary. As a matter of fact, there is land dispute between the deceased and the main accused, Niku Choudhary but this petitioner has no concern with the alleged disputed land. Though there is allegation of firing against this petitioner, but no injury has been caused to the deceased. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Udwantnagar Police Station Case No. 197 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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