

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49248 of 2017

Arising Out of PS.Case No. -103 Year- 2017 Thana -KOTWALI District- MUNGER

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Tausif Imam @ Md. Rizwi @ Rizwi @ Tausif, S/o- Late Hasan Imam,
Resident of Village- Kamela Road, P.S. Kotwali, District Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Soni Shrivastava

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 08-11-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Kotwali P.S. Case No. 103 of 2017, registered under Sections 302,

307 and 120B/34 of the Indian Penal Code and Section 27 of the

Arms Act.

The allegation of informant, Ruksana Khatoon, is that

her husband, along with daughter and three sons had gone for

morning walk. At about 7.20 A.M., her elder son informed that

her son, Md. Tavrez and husband Md. Mahboob Alam were shot

fire by six persons and both have been rushed to the hospital for

treatment. Thereafter, she along with other family members

reached at Sadar Hospital, Munger and saw that her younger son,



Md. Tavrez, has died while treatment of her husband was going on. Thereafter, her husband disclosed that while he along with his children was drinking sugarcane juice then 7-8 persons including Suraj Yadav, Dayanand Mandal, Md. Sahnawaj Alam, and Md. Shahid Kamar came there on motorcycle and starting firing in which he and his son sustained firearm injury. Further allegation is that in Municipal Election, petitioner and Md. Athar Imam asked her husband for not contesting the election and also threatened for dire consequences in case of contesting the election.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner and the informant are co-villagers and known to each other. Further submission is that husband of the informant has claimed to identify the miscreants but no disclosed the name of the petitioner as assailant, but he has falsely been implicated in this case mere on suspicion.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger, in connection with Kotwali P.S. Case No. 103 of 2017, subject to



the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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