

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53578 of 2016

Arising Out of PS.Case No. -79 Year- 2016 Thana -BARAUNI District- BEGUSARAI

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Md. Mumtaz

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chandan Kumar Kashyap, Advocate.

For the Opposite Party : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 09-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 22.09.2016
in connection with Barauni (Refinery) P.S. Case No. 79 of 2016
for the offences instituted under Sections 147, 341,323, 307, 354,
380, 452, 326 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 12.02.2016
while the informant with his family was talking, the accused
persons variously armed with pistol, Farsa, Iron rod and Lathi
came and started abusing. On order of co-accused Kulsum
Khatoon, this petitioner caused cut injury on the head of the
informant. She also caused injury to him. Other co-accused also
assaulted him with Lathi. When Sahabuddin and Shabina Khatoon



came to save him. The accused persons also assaulted them. Co-accused Kulsum Khatoon took ornaments worth Rs. 1,10,000/- and cash of Rs. 25,000/-. Other accused took house hold articles worth Rs. 50,000/- and during going away co-accused Sabir opened fire in the air.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.09.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. The case has been instituted after one month from the date of occurrence. The other co-accused has been granted bail by this Court vide Cr. Misc. No. 53586 of 2016.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned C.J.M., Begusarai, in connection with Barauni (Refinery) P.S. Case No. 79 of 2016.

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(Sudhir Singh, J)

