

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5952 of 2017

Arising Out of PS.Case No. -167 Year- 2015 Thana -HUSAINGANJ District- SIWAN

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Azajul, son of Najrul Haque, Resident of Village- Harhans, P.S.-
Hussainganj, District- Siwan.

.... Petitioner/

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 26-04-2017 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking regular bail in
connection with Hussainganj P.S. Case No. 167 of 2015,
registered for the offences punishable under Sections 341, 323,
324, 307 and 302/34 of the Indian Penal Code.

As per the F.I.R., about 10 persons including the
petitioner have formed unlawful assembly and attacked on the
informant and his brother, led to death of the brother of the
informant. The dispute has taken place on account of purchase
of the land.

This Court has called for the case diary. From a
perusal of the same, counsel for the petitioner submits that there



is no direct allegation against the petitioner.

Earlier the petitioner has moved before this Court in Criminal Miscellaneous No.18288 of 2016 and this Court vide order dated 03.05.2016 rejected the bail of the petitioner taking cognizance of the order passed in Criminal Miscellaneous Nos. 58243 of 2015 and 47375 of 2015, by which the bail applications of co-accused persons have been rejected by this Court, but subsequently they have been granted bail by this Court.

Having considered the aforesaid facts and circumstances of the case, let the petitioner--Azajul be released on bail on furnishing bail bonds of Rs.10, 000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Hussainganj P.S. Case No.167 of 2015 subject to the conditions that the petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates without reasonable explanation, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Shivaji Pandey, J)

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