

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54292 of 2017

Arising Out of PS.Case No. -62 Year- 2016 Thana -THAWE District- GOPALGANJ

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Dilshad Ali, S/o Late Babar Ali, resident of Jangalia, Ward no. 15, P.S.
Gopalganj, District- Gopalganj. Petitioner.

Versus

The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi

For the Opposite Party/s : Md. Ashlam Ansari

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 13-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Thawe P.S. Case No. 62
of 2016 registered under Section 302/34 of the Indian Penal Code.

As per the prosecution case, the petitioner and
Mumtaz Ali are said to have caught hold hand of the husband of
the informant while accused Irshad Ali resorted firing on his head
at the instance of Fahima Khatoon resulting into his death.

It is submitted by learned counsel for the petitioner
that the petitioner does not happen to be assailant. The allegation
against the petitioner is only of catching hold the hand of the
deceased which is general and omnibus in nature. The assailant
Irshad Ali has been granted bail by the learned Sessions Judge in
criminal appeal finding him juvenile, while the order giver Fahima



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Khatoon has been granted bail by coordinate Bench of this Court in Cr. Misc. No.1874 of 2017 vide order dated 21.03.2017. The petitioner has been languishing in custody since 25.08.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No.62 of 2016.

(Prakash Chandra Jaiswal, J)

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