

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7141 of 2017

Arising Out of PS.Case No. -44 Year- 2015 Thana -ALIPUR District- GAYA

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Sabir Mian, S/o Late Habib Mian, R/o Village - Meera Bigha, P.S. Alipur,
Distt. - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 28-02-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Alipur P.S. Case No. 44 of 2015 for the offences punishable under sections 147, 148, 149, 341, 323, 324, 307, 337, 338, 153 (A), 109, 195, 504 and 509 of the I.P.C and section 27 of the Arms Act.

Allegedly, while the informant after attending the meeting was returning his house the petitioner and others started raising hulla by saying the word chor-chor near the Imambara. The informant went there. The petitioner and others assaulted the informant and when the member of the Hindu community arrived there they were also assaulted by them. They also opened fire and threw stones upon the house of the informant in the night.



Submission is of false implication, the petitioner has got no criminal antecedent, there is admitted land dispute between the parties, a proceeding under section 144 of the Cr.P.C. was also initiated between the parties, there is no specific allegation against the petitioner to assault any one, the allegations are omnibus in nature and as such the petitioner deserves sympathetic consideration as the similarly situated co-accused Md. Shakir Hussain @ Shakir Hussain and Rajendra Choudhary have been allowed pre-arrest bail vide Cr. Misc. Nos. 51715 of 2015 and 15840 of 2016 by another co-ordinate Bench of this Court.

The learned A.P.P. submits that the petitioner is named in the FIR.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. Sri Depanshu Kumar Srivastav, J.M. 1st Class, Gaya in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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