

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60541 of 2017

Arising Out of PS.Case No. -111 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

=====

Samshad Miyan, son of Mustakim Miyan, resident of Village- Rai Tola,
Nimue P.S. Sugauli, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 13-12-2017

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending arrest in a
case registered for the offences punishable under Sections
341,323, 328, 307, 379, 420 and 120B of the Indian Penal Code.

The prosecution case is that on 16.04.2017
the petitioner and co-accused Babar Ali took the informant for
getting him employed for stitching work but on the way, they
administered some poisonous substance and took out Rs. Two



Thousand and when the informant regained consciousness then he lodged the case.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of village politics and there is no injury report on the record. Moreover, similarly situated accused has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 24.07.2007 passed in Cr. Misc. No. 34556 of 2017, as contained in Annexure-2. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Considering the nature of accusation being not corroborated by medical opinion and the fact that the similarly situated accused has been granted anticipatory bail coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with



Sugauli P.S. Case No. 111 of 2017, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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