

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54678 of 2017

Arising Out of PS.Case No. -108 Year- 2017 Thana -ISHAKCHAK District- BHAGALPUR

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Md. Abu Jia @ Dauli @ Jia Hamid, Son of Late Md. Abu Hamid, resident of Mohalla- Barahpur, P.S. Ishakchak, Distt.- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Ishakchak P.S. Case No.108 of 2017 registered under Sections 341, 323, 307, 379, 448 and 506/34 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that on 27.08.2017 at about 01.00 P.M., the petitioner entered into the house of the informant and damaged the wall. At that time, the petitioner also took away the box from there containing clothes, utensils etc. When the informant tried to protest, this petitioner fired two shots but, in the meantime, Md. Farhan and Md. Shahzad, the sons of the informant, reached there



and pulled the informant by catching her hand due to which the firing did not hit the informant. At that time, Baby caused assault to the informant through iron rod and this petitioner gave threatening of dire consequences to the informant.

Learned counsel appearing on behalf of the petitioner submits that, in fact, there is land dispute in between the petitioner and the informant and the petitioner has falsely been implicated in this case. While there is allegation against the petitioner to make firing twice but the same did not hit the informant or to anyone. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VI, Bhagalpur, in connection with Ishakchak P.S. Case No.108 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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