

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7000 of 2017

Arising Out of PS.Case No. -56 Year- 2016 Thana -KASMA District- AURANGABAD

- =====
1. Saiyed Imam @ Saiyed Enamul Haque,
 2. Saiyed Rizwan, @ Md. Rizwan, Both are Sons of Md. Nazim Resident of Village-Batura, P.S.-Kasma, District-Aurangabad

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sailesh Kumar Singh, Advocate

For the Opposite Party : Mr. Bhanu Pratap Singh (APP-14)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Kasma P.S. Case No. 56 of 2016, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 504 of the Indian Penal Code.

Allegedly, in the occurrence the petitioners opened fire which hit the palm and during investigation the right hand was also fractured of the informant.

Submission is of false implication and that there is case and counter case, in this case there is no seizure list regarding seizing the empty cartridge and in the case lodged by the father of the petitioners, there is seizure of one empty cartridge and, as



such, the petitioners deserve sympathetic consideration as the injury found on the person of the informant has been simple in nature and further no fire arm injury has been found. .

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the injury report, the petitioners in the event of their 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 bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Kasma P.S. Case No. 56 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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