

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.12065 of 2017**

Arising Out of PS.Case No. -121 Year- 2014 Thana -ANDER District- SIWAN

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Dr. M.s. Siddiquee @ Md. Shamiuzzama Siddiquee Son of Late Abdul  
Ahmed Siddiquee, Resident of Village-Mian ke Bhatkan, P.S. Andar,  
District-Siwan .... .. Petitioner

Versus

The State of Bihar .... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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

**ORAL ORDER**

2      30-03-2017                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Andar P.S.  
Case No. 121 of 2014 registered for the offences punishable under  
Sections 307, 302, 120B of the Indian Penal Code.

Allegedly, the son of the informant was brutally assaulted  
by the petitioner and others and then Police came there and  
brought him in hospital but he died.

Submission is of false implication and that the Police after  
completing investigation did not sent up the petitioner for trial and  
against him final form was submitted whereas against other three  
co-accused chargesheet was submitted vide Chargesheet No. 22 of  
2016 and the petitioner is in custody since 30.01.2017 and as such  
he deserves sympathetic consideration.



Learned APP opposes the prayer of bail by submitting that cognizance has been taken after differing with the opinion of the Investigating Officer and there is serious allegation against the petitioner also as he being the uncle of the girl along with others brutally assaulted the son of the informant who died during treatment.

In the facts and circumstances stated above, considering that the Police after completing investigation did not sent-up the petitioner and against him final form was submitted, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri D. K. Mishra, J. M. Ist Class, Siwan in connection with Andar P.S. Case No. 121 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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