

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20721 of 2018

Arising Out of PS. Case No.-119 Year-2015 Thana- SALKHUA District- Saharsa

Md. Usman S/o Md. Miya Jee, R/o Village- Matha, P.S.- Salkhua, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Sri Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

2 09-04-2018 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner, already in custody, seeks bail in connection with Salkhua P.S. Case No.119 of 2015, registered under Sections 147, 148, 149, 342, 323, 379, 307, 452, 504 and 506 of the Indian Penal Code as well as under Section 27 of the Arms Act. Section 302 of the Indian Penal Code was added later on.

Allegation in brief is that all accused persons came and tried to take away the horse of the informant, when the informant and his mother woke up then all accused persons assaulted the mother of the informant causing her death.

Learned counsel for the petitioner submits that there is general and omnibus allegation against all accused persons and seeks bail on the ground of parity as similarly situated other co-



accused persons Md. Mardi @ Md. Mardin, Md. Gaffar and Md. Shamim have been admitted to bail by coordinate Benches of this Court vide Cr. Misc. Nos.51545 of 2015, 52937 of 2016 and 41571 of 2017 on 10.11.2015, 16.02.2017 and 08.09.2017 respectively.

Having considered the aforesaid facts and circumstances, petitioner Md. Usman is directed to 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 learned CJM, Saharsa in connection with Salkhua P.S. Case No.119 of 2015 with conditions that one of the bailors must be the close family member of the petitioner and the petitioner shall remain physically present on each and every date before the trial court and if he absents himself on two consecutive dates without any reasonable cause, his bail bond shall liable to be cancelled.

(Arun Kumar, J)

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