

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61831 of 2017

Arising Out of PS.Case No. -366 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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Md. Chand Miyan S/o Late Amin Miyan, R/o Village- Dharhara, Ara, P.S.-
Ara (Town), District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravindra Kumar

For the Opposite Party : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 07-02-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Ara Town PS
Case No. 366 of 2017 registered under Sections 302 and 120B/34 of
the IPC.

The allegation in brief is that named seven – eight accused
persons came and all indiscriminately fired on the deceased causing
his death. It is alleged that some days back the petitioner and others
made attempt to forcibly take possession of the deceased land and on
that occasion also they fired and it is alleged that they are involved
and made conspiracy and got the deceased killed.

Learned Counsel for the petitioner submits that only
allegation against the petitioner is that he was not at the place of
occurrence and not said to have shot at the deceased rather allegation
is that he was one of the conspirators. Similarly situated co-accused
Danish and others having criminal antecedent like the petitioner have
been admitted to bail by a coordinate Bench of this Court.

Having considered the said facts and circumstances, the
petitioner, namely, Md. Chand Miyan is directed to be released on
bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of CJM Bhojpur at Ara in connection with Ara Town PS Case No. 366 of 2017, with the condition that the petitioner shall not tamper with the evidence and will not threaten the witnesses.

The petitioner is directed to appear before the trial court on each date and in case of failure to appear on two consecutive dates except because of reasonable cause his bail bonds shall be liable to be cancelled.

(Arun Kumar, J.)

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