

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65139 of 2018

Arising Out of PS. Case No.-263 Year-2017 Thana- ARA NAGAR District- Bhojpur

MD. IMTEYAJ @ IMTEYAJ Son of Md. Salam Resident of Village-
Dharahara P.S. Ara (Town), District- Bhojpur(Ara).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. Umeshnand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,341,323,326,307,504 and 506 of the IPC and Section 27 of the Arms Act.

The prosecution case as per the Fardbeyan of Tanbeer Anwar dated 13.5.2017 is to the effect that 16 FIR named accused persons came and surrounded the informant. It is alleged that firing was resorted to by co-accused Chand Miyan and Nayeem Mistry which hit the informant. Further they also fired at the brother of the informant.

It is submitted by learned counsel for the petitioner that the occurrence took place in the background of quarrel between the children of both sides.



It is submitted by learned APP that specific accusation of firing is against co-accused Chand Mian and Nayeem Mistry. There is counter version of the occurrence also. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent and similarly situated co-accused has been granted anticipatory bail by a Bench of this Court in Cr. Misc. Nos. 33406 and 33461 of 2018.

Considering the genesis of the occurrence and the accusation being omnibus and general, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhojpur at Ara in connection with Ara (T) P.S. Case No.263 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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