

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67038 of 2018

Arising Out of PS. Case No.-359 Year-2014 Thana- ARA NAGAR District- Bhojpur

Md. Shamshad S/o Shamim @ Md. Shamim @ Mohammad Shamim R/o
Village-Dharhara,P.S. Ara Town,Distt.-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 26-11-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Ara Town P.S. Case No. 359 of 2014 registered for the offences punishable under Sections 147, 148, 149, 307, 302 and 120B of the Indian Penal Code and under Section 27 of the Arms Act.

Informant who is the cousin brother of the deceased has alleged that when he and his cousin brother Mintu Kumar (deceased) were returning home after closing the shop petitioner along with other co-accused attacked them and thereafter on instigation of Ekram Mian, Ekram Alam fired upon chest of Mintu Kumar (deceased) and Chand Mian and Jafar Mian also fired and thereafter all accused persons including petitioner started firing indiscriminately upon the deceased.

It has been submitted on behalf of the petitioner



that he is innocent and has committed no offence. He has been falsely implicated in this case. There is general and omnibus allegation against petitioner. It has been further submitted that similarly placed co-accused has been granted bail by another co-ordinate Bench of this Court in Cr. Misc. No. 55923 of 2018 vide order dated 10.02.2016. He is in custody since 07.08.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Town P.S. Case No. 359 of 2014.

(S. Kumar, J)

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