

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60715 of 2018

Arising Out of PS. Case No.-214 Year-2018 Thana- SAHARSA District- Saharsa

Md. Jawed @ Md. Jawed Alam S/o Hasim @ Md. Meer Hasim, R/o Saharsa Basti, Ward No. 38, P.S. and District- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 19-11-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341/323/307/427/504/506/120B of the Indian Penal Code and Section 27 of the Arms Act.

Both sides are relations.

Allegation against the petitioner is that he fired six rounds from his revolver causing three shots to the referred vehicle and three in the air.

Submission of the learned counsel for the petitioner is that both sides are related to each other. The referred vehicle was purchased by the petitioner from the informant's brother Md. Abubakar, vide Annexure-2 series. However, they had



taken away the aforesaid vehicle forcefully and that was the dispute for the present false case. Learned counsel further submits that criminal cases referred in para-3 of the bail petition are between the same parties for same dispute.

Considering the entire facts of the case, chances of malicious prosecution cannot be ruled out, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Saharsa Sadar Police Station Case No.214 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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