

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49267 of 2018

Arising Out of PS.Case No. -29 Year- 2018 Thana -AGLOAN (GARHAU) District- BHOJPUR

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1. AHMAD ALI @ HARSHU MIYA @ HASU, S/o Md. Babruddin,
2. Dablu @ Kasif Ahmad, S/o Harshu Miya, Both are the Residents of 12,
Garhani Garani Khal, P.S.- Charpokhari, Distt.- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashish Giri

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-11-2018 Heard the parties.

This application is for grant of regular bail in connection with Agiyaon P.S.case No.29 of 2018 for the offences under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioner is that some dispute took place between the petitioners, who are father and son, and two deceased persons and thereafter they dashed the motorcycle of the deceased persons by their Scorpio Car causing death of the deceased and set the Scorpio on fire.

Submission of the learned counsel for the petitioner is that an accident took place that was not intentional as the Scorpio car of the petitioners dashed the motorcycle of the deceased persons causing death of two deceased persons and



materials collected during the course of investigation does not disclose that there was any dispute between the deceased and the petitioner from before. Further submission is that the scorio was burnt in mob fury after the accident.

Heard learned A.P.P. also and the learned counsel for the informant. They have opposed the prayer for bail stating that the petitioners have killed the deceased persons intentionally while dashing the vehicle as there was dispute from before and there is nothing in the case diary to show that scorio was burnt in mob fury. Further submission is that deceased persons were Press Reporter and petitioner no.1 is husband of Mukhia. It is also submitted that so far petitioner no.1 (Ahmad Ali @ Harshu Miya @ Hasu) is concerned, he is accused in three other cases also.

Having heard both sides and in view of the facts and circumstances, as stated above, so far petitioner no.1(Ahmad Ali @ Harshu Miya @ Hasu) is concerned, I am not inclined to grant bail to the petitioner, as such his prayer for bail is rejected on the other hand the petitioner no.2 (Dablu @ Kasif Ahmad) be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Ara (Bhojpur) in connection with Agiyaon P.S.Case no.29 of 2018 dated 25.3.2018



arising out of Sessions Trial No.196 of 2018.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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