

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67564 of 2018

Arising Out of PS. Case No.-194 Year-2018 Thana- JOGBANI District- Araria

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1. Firoz Anshari @ Md. Firoz Ansari @ Feroz Ansari Son of Rabuddin Ansari
 2. Idrish @ Md. Idrish Son of Sahabuddin Ansari
 3. Balwir Ram @ Balbir @ Balbir Ram Son of Birendra Ram
- All are Resident of Mohalla Jogbani, Hazi Mohalla, Police Station-Jogbani, Distt. Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate.

For the Opposite Party/s : Mr. Shailendra Kumar -1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 17-12-2018

Heard learned counsel for the petitioners and the State.

The petitioners seek bail in Jogbani P.S. Case No. 194 of 2018 instituted for the offence under Section 302/34 of Indian Penal Code.

In the written report it is alleged that informant got information that his brother Md. Kazim has been brutally assaulted at Haji Mohalla, Jogbani. The informant went there and learnt that he is being assaulted near the house of Firoz Ansari. The informant along with Md. Nayeem went to the house of Firoz Ansari and found several persons assembled there. His brother was badly injured. He found the petitioner and other two accused persons namely, Md. Idrish, Balwir and 4-5 unknown persons of assaulting his brother and fled away. The brother of the informant has subsequently died.



Counsel for the petitioner submits that informant is not eye witness of the case. Mere suspicion has been raised against the petitioner by the informant.

Case diary has been received.

Learned A.P.P. after looking into the case diary has submitted that witnesses in paragraphs 15, 16 and 17 have given statement as eye witness.

From perusal of statement of witnesses in the case diary it appears that they have not levelled any allegation of specific overt act against the petitioner.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Jogbani P.S. Case No. 194 of 2018, subject to the condition that both the bailors will be close relatives of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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