

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22404 of 2018

Arising Out of PS.Case No. -176 Year- 2017 Thana -PANCHRUKHI District- SIWAN

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1. Mattalu Miyan, S/o Jaharuddin Miyan, Resident of Village- Champ, P.S. Saray O.P. District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhushan Verma

For the Opposite Party/s : Mr. Sri Lalan Kumar

For the Informant : M/s Ajay Kumar Pandey, Sandeep Kumar & Pinki Kumari

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 16-04-2018 Heard learned Counsel for the petitioner and the learned Counsel for the State as also the learned Counsel appearing on behalf of the informant.

Petitioner, already in custody since 22.8.2017 seeks bail in Pachrukhi (Sarai) PS Case No. 176 of 2017 (S.Tr. No. 632 of 2017), registered under Sections 302/34 of the IPC and Section 27 of the Arms Act.

The allegation in brief is that the accused persons called the informant when Dara Yadav inflicted knife blow, Nipu Yadav and this petitioner are said to have assaulted with leg and fists and Mattalu Miyan is said to have shot at the deceased.

Submission is that the allegation against this petitioner is of assaulting with leg and fists and also to shoot at the deceased but the post mortem report clearly rules out the allegation against the petitioner as no fire arm injury was found on the person of the deceased rather several incised wounds have been found which is attributed to Nipu Yadav and this petitioner has no criminal antecedent.



Having considered the said facts and circumstances, the petitioner Mattalu Miyan is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge V, Siwan in connection with Pachrukhi (Saai) PS Case No. 176 of 2017 (S.Tr. No. 632 of 2017).

(Arun Kumar, J)

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