

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10381 of 2019

Arising Out of PS. Case No.-555 Year-2018 Thana- JOGAPATTI District- West Champaran

1. AKBAR MIAN Son of Nathu Mian R/o village- Dhabelwa, P.S- Yogapatti, District- West Champaran
2. Daud Mian Son of Mubarak Mian R/o village- Dhabelwa, P.S- Yogapatti, District- West Champaran
3. Md. Mustafa Khan Son of Late Alauddin Mian @ Late Banhu Mian R/o village- Dhabelwa, P.S- Yogapatti, District- West Champaran
4. Hamid Ansari Son of Heera Mian R/o village- Dhabelwa, P.S- Yogapatti, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-04-2019 Counsel for the petitioners is permitted to make necessary correction in paragraph-3 of the application in the light of statement made in supplementary affidavit in course of the day.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case registered under Sections 147, 148, 149, 341, 323, 324, 307 & 506 of the Indian Penal Code and 27 of the Arms Act.

The Prosecution case in brief is that the accused persons fired as a result of which, the informant sustained fire arms



injury.

It has been submitted on behalf of the petitioners that the petitioner No. 4 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are in custody since 15-11-2018. Charge sheet has already been submitted. The petitioners have been falsely implicated in the present case. As per the allegation, co-accused Umar Ansari, Md. Alamgir and Abul Alam fired from their pistol. So far petitioners are concerned, no allegation of assault is alleged against them. At best, they are members of the unlawful assembly.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti P.S. Case No. 555 of 2018.

(Sudhir Singh, J)

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