

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11006 of 2019

Arising Out of PS. Case No.-1215 Year-2018 Thana- SAHARSA District- Saharsa

1. MD. AZAD Son of Md.Wasim
2. Md. Shahzad Son of Md. Wasim
3. Md. Hizbul Son of Md. Tohid
4. Md. Abdullah Son of Md. Tohid
5. Md. Wasim Son of Late Basir Ali
Resident of Village-Nariyar Millat Nagar Ward No.3,P.S.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-04-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Saharsa Sadar P.S.Case no.1215 of 2018 dated 8.11.2018 , registered for offences punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner no.1 is that he fired on the informant which misfired and thereafter he assaulted by the 'BUT' portion of the pistol and allegation against the petitioner no.2 is that he snatched Rs.50,000/- from his pocket.

Submission of the learned counsel for the petitioners is that there is no specific allegation of assault attributed against



the petitioner nos. 2 to 5 though there is allegation of assault against the petitioner no.1 and the injuries, which are mentioned by the I.O. does not appear to be serious and the allegation of snatching of Rs.50,0000/- appears to be ornamental in nature.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa in connection with Saharsa Sadar P.S.Case no.1215 of 2018 dated 8.11.2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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