

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33552 of 2019

Arising Out of PS. Case No.-739 Year-2018 Thana- ARA NAGAR District- Bhojpur

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Fuchan Mian @ Fuchu Mian @ Fuyun Mian Son of Ehsan Mian Resident of
Village-Milki Mohalla P.S. Ara (Town), District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Sanjay Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 22-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 387, 302 & 307 of the Indian
Penal Code and Section 27 of the Arms Act.

Nine named and 4-5 unknown miscreants are said to have
descended at the shop of the informant and demanded extortion
money of Rs.10 lakhs and on refusal to cough up the demand by
his brother Khursid Mian and Naiyar Mian resorted
indiscriminate firing upon his brother resulting into his death on
the spot and Babli Mian and Samsheer Mian resorted firing upon
the informant inflicting injury on his stomach and one more
person was also injured in the occurrence.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. The petitioner has committed no offence and has no concern with the aforesaid occurrence. He has been falsely implicated in this case due to dirty village politics. The petitioner is not named in the F.I.R. No incriminating article has been recovered from his conscious physical possession. He has neither demanded any extortion money nor happens to be assailant of the occurrence. No overt act has been attributed to the petitioner. He has no criminal antecedent and has been languishing in custody since 15.03.2019.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara (Town) P.S. Case No.739 of 2018.

Trivedi/-

(Prakash Chandra Jaiswal, J)

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