

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53019 of 2019

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

GUDDU MIYA, aged about 23 years, male, Son of Md. Jamil @ Jalil Mian,
Resident of Muhalla - Ranja (Kasai Tola), P.S.- Ara Town, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-11-2019 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, 307/34 of the
Indian Penal Code and 27 Arms Act.

The allegation as per the FIR is that nine named accused
persons including the petitioner herein with 4/5 unknown
persons entered into the shop of the informant and made a
demand of Rs. 10 lacs which was refused by the brother of the
informant. Thereafter, it is alleged that Khurshid Qurashi and
Naiyar Miyan fired on the brother of the informant as a result of
which he died. Thereafter, Babli Mian and Shamsheer Mian also
fired hitting the informant in his stomach.

Learned counsel for the petitioner submits that no over



act has been alleged against the petitioner and the case of the petitioner stands on a similar footing to other co-accused who have been granted bail by this Court vide order dated 27.06.2019 passed in Cr. Misc. No. 25902 of 2019. The petitioner is in custody since 08.04.2019 and has got no criminal antecedent.

Learned counsel for the petitioner further submits that the petitioner is not named in the FIR and other co-accused has also been granted by the Co-ordinate Bench of this Court vide order dated 04.07.2019 passed in Cr. Misc. No. 38043 of 2019.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released 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 A.D.J.-IX, Bhojpur at Ara, in connection with S.Tr. No. 209/2019 arising out of Ara Nagar P.S. Case No. 739 of 2018, subject to the following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his



absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Anjani Kumar Sharan, J)

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