

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58218 of 2019

Arising Out of PS. Case No.-326 Year-2019 Thana- KHAGARIA District- Khagaria

MD. MAHMUD @ MD. MAHSUD, aged about 32 years (Male), Son of Jaynul Miyan, Resident of Village - Islampur, P.S.- Khagaria (Muffassil), District- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar Choudhary, Advocate.
For the Opposite Party : Mr. Shyam Bihari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-09-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 147, 148, 149, 341, 323, 307, 384, 386, 427, 379 and 120(B) of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the informant happens to be farmer and his elder son Sujit Kumar deals with Hen and about 20-30 persons are working in Godown and Office. Sujit Kumar was at Patna. The petitioner and other co-accused persons used to realize extortion of Rs. 10-15 thousand from the Manager of his son Avinash alias Pankaj Kumar and before 15 days, accused persons put pressure on the Manager Avinash to pay extortion money of Rs. 5,00,000/- otherwise



after 15th May, they would raid at his office, cause communal riot and kill him and in the aforesaid background, on 18.05.2019 at 7.00 P.M. F.I.R., named accused persons armed with weapons, pistol, three-naught, rod came at the Godown and Office of his son and damaged the office and when Avinash Kumar alias Pankaj raised objection, co-accused Md. Rashid assaulted on his head with Iron rod and others also assaulted him. He also took away Rs. 1,25,000/-, Laptop, Computer and damaged the office and Motorcycle. Accused persons looted away Cocks worth Rs. 1.5 Lacs by breaking gate of Godown. They made ten rounds firing and tried to give colour of communal riot. They also assaulted Md. Imran and caused fracture in his hand.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 21.07.2019. The petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The allegation is against co-accused Md. Rashid. As far as this petitioner is concerned, general and omnibus allegation has been made against him. No overt act has been alleged against the petitioner.

On behalf of the State, it is submitted that the



petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned C.J.M., Khagaria, in connection with Khagaria (Muffasil) P.S. Case No. 326 of 2019, G.R. No. 1305 of 2019.

(Sudhir Singh, J)

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