

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58536 of 2019

Arising Out of PS. Case No.-600 Year-2018 Thana- SAUR BAZAR District- Saharsa

1. Md. Koshar Alam @ Md. Kaishar S/O Rajabun Resident of Village- Lahouna, P.S.- Saur Bazar, District- Saharsa.
2. Md. Samiullah @ Sonu @ Md. Sonu S/o Motiurrahman Resident of Village- Lahouna, P.S.- Saur Bazar, District- Saharsa.
3. Md. Jahid S/O Md. Gyash Resident of Village- Lahouna, P.S.- Saur Bazar, District- Saharsa.
4. Md. Najmer @ Md. Najmur S/o Md. Jahir Resident of Village- Lahouna, P.S.- Saur Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-10-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered under Sections 302, 307, 341, 323, 504, 147, 148, 149 of the Indian Penal Code and 27 of the Arms Act.

Allegation is that the accused persons including the petitioners surrounded the informant's brother and nephew and on the order of co-accused Md. Miso @ Haidar Kamal, co-accused Md. Margub resorted to fire from rifle which hit the brother of the informant. As a result of which, informant's brother fell down and he was taken to the Hospital, where he



succumbed to the injuries.

It has been submitted on behalf of the petitioners that the petitioners No.1 to 3 are in custody since 4.7.2019 and petitioner No.4 is in custody since 5.7.2019. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. The main allegation of firing upon the deceased is alleged against the co-accused Margub. So far the petitioners are concerned, they are members of unlawful assembly. No specific overt act is alleged against the petitioners. No specific injury is attributed against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the 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) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Sourbazar (Patarghat O.P.) P.S. case No.600 of 2018.

(Sudhir Singh, J)

Narendra/-

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