

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64252 of 2019

Arising Out of PS. Case No.-104 Year-2015 Thana- JOGBANI District- Araria

Jawed Sah @ Jabid Ali, Son of Md. Abdul Kalam Resident of Matiyarwa,
P.S.- Rani Birat Nagar, District - Morang (Nepal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Jogbani P.S. Case No. 104 of 2015, registered under Section 307 and
other allied Sections of the Indian Penal Code.

The accusation is that in the morning of 04.12.2015, six
persons named in the F.I.R. including the petitioner and 10-15
unknown having spade, rod and belt came at the door of informant,
Rahul Choudahry. When his brother, Bechan Choudhary opened the
door then on the order of Abdul Sattar Ansari, Javed Sah (petitioner)
gave spade blow at the head of his brother, Bechan Choudhary, who
fell down. When his brother, Chhotu Choudhary and neighbour
Snatosh Soni came to save him then they were also assaulted through
spade and rod and they also snatched the gold chain from Santosh



Soni. The cause of occurrence is that on preceding evening on hearing the sound of Dog, informant came out then saw that one person fleeing away after throwing some materials and that person was identified as Javed Sah (petitioner), son-in-law of Abdul Sattar Ansari. @Bengali.

Learned counsel for the petitioner submits that, in fact, petitioner is relative of other co-accused named in the F.I.R. and he had gone in relation but with ulterior motive, the petitioner has also been implicated in the present case with false allegation. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Araria, in connection with Jogbani P.S. Case No. 104 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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