

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75170 of 2019

Arising Out of PS. Case No.-576 Year-2018 Thana- GAYA KOTWALI District- Gaya

Md. Saddam @ Saddam Mian Son of Ozar Mian @ Ujjain Mian Resident of
Mohalla- Bankey Gali, P.S. Kotwali, Dist- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.S. Jamil Akhtar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-12-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Kotwali P.S. Case No. 576 of 2018 for the offences punishable under
Sections 302/34 of the Indian Penal Code and Sections 25(1-B)A, 26,
35 Arms Act.

The prosecution case as per the Fardbeyan of Chandani
Khatoon recorded on 16.12.218 at 7.00 P.M. is to the effect that on
16.12.2018 at 6.00 P.M., the informant's husband, Rinku Mian went
to meet one Raushan Munshi. Subsequently, the informant called her
husband who informed her that he is coming in few minutes. After
some time, the informant heard the sound of gun fire and when she
came out of the house, one lady conveyed her that 4-5 persons were
assaulting her husband, then she reached at the spot and found her
husband in an injured and unconscious condition. The informant
noticed that her husband was assaulted by the accused persons,



including the petitioners and on seeing the informant, the accused persons fled away from the place of occurrence.

The learned counsel for the petitioner has submitted that the husband of the informant was a notorious criminal and since this petitioner used to object to the criminal activity of the husband of the informant, he has been roped in the present case with oblique motive. It is further submitted that the co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 04.11.2019 passed in Cr. Misc. No. 65306 of 2019 and order dated 16.11.2019 passed in Cr. Misc. No. 29812 of 2019 as well as in Cr. Misc. No. 66196 of 2019. The petitioner is stated to be languishing in custody since 25.06.2019.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Kotwali P.S. Case No. 576 of 2018.

(Mohit Kumar Shah, J)

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