

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3073 of 2020

Arising Out of PS. Case No.-214 Year-2019 Thana- DAGARUA District- Purnia

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1. MD. SAHID ALAM @ MD. SHAHID ALAM Son of Md. Zainuddin @ Zainuddin Residence of Village-Udharna, P.S-Dagrua, District-Purnea.
 2. Sanjay Yadav Son of Gajendra Yadav Residence of Village-Majhwa, P.S.- Dagrua, District-Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vikramdev Singh, Adv. Mr. Manish Kumar, Adv.
For the Opposite Party/s	:	Dr. Ajeet Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 20-03-2020 Supplementary affidavit has been filed on behalf of the petitioner. Let the same be kept on record.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have prayed for bail in connection with Dagarua P.S. Case No. 214 of 2019 registered for the offence punishable under sections 279, 353, 341, 323, 325, 506, 307 and 34 of the Indian Penal Code.

As per allegation in the FIR, on receiving secret information about illicit liquor being carried, motorcycle with the two petitioners thereon was stopped for checking. They had a bag in between them. They attempted to escape but were chased and caught by one police personnel. It is stated that they attacked and caused injury to the said police personnel and managed to escape.



It is submitted by learned counsel for the petitioners that although the FIR was initially registered under sections 307, 353 and other sections of the Indian Penal Code, after investigation charge-sheet was submitted in the case under section 325 and other sections of the IPC. The police removed section 307 of the IPC. It is further submitted that no incriminating article was recovered from possession of the petitioners, they have no criminal antecedent and are in custody since 11.11.2019.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the submission of the charge-sheet under section 325 and other sections of the Indian Penal Code, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Dagarua P.S. Case No. 214 of 2019 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea.

(Partha Sarthy, J)

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