

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 12098 of 2020

Abdul Sattar @ Md. Sattar (Male), aged about 50 years, son of Md. Yusuf, resident of Mohalla-Bakarganj Bajaja, near Siddikue Nursing Home, Arya Kumar Road, Police Station-Pirbahore and District-Patna

..... Petitioner

Versus

The State of Bihar

..... Opposite party

Appearance

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the State : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 28.08.2020 Heard learned counsel for the petitioner and learned A.P.P for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Pirbahore P.S. Case No.597 of 1990 registered under sections 307, 341, 323, 506 and 34 of the Indian Penal Code.

As per allegation in the F.I.R, it is stated by the informant that his brother took out a pistol and pointed it towards the informant with the intention to shoot. Informant started to run shouting for help. It is stated that the police personnel who were close by caught hold of the accused and took possession of the pistol. There

l that the named accused person



including the petitioner and one Md. Bhondu started a fight with the police and managed the escape of Shaukat Mian from custody.

It is submitted by learned counsel for the petitioner that from perusal of the F.I.R. itself it would be evident that both the parties are close relatives, informant and the main accused being full brothers. It is submitted that there are pending disputes between the members of the family including Title Suit No.259 of 2015 pending in the Court of Sub-Judge- I, Patna, plaint of which has been brought on record as Annexure-2 to the petition. The petitioner happens to be the nephew of the informant. It is lastly submitted that the case of the petitioner stands on a similar footing to that of co-accused, Md. Bhondu who has been enlarged on bail vide order passed in Cr.Misc.no.7768 of 2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, relationship between the parties and grant of bail to co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Pirbahore P.S. Case No.597 of 2019, he will be enlarged on bail on furnishing bail bond of Rs 10,000.-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna, subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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