

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16812 of 2020

Arising Out of PS. Case No.-247 Year-2019 Thana- BAKHTIYARPUR District- Patna

1. NAJBUDDIN @ ADIL @ AMRUDDIN Son of Mohammad Aktar Resident of Village - Chak Daulat, P.S.- Bakhtiarpur, Dist.- Patna.
2. Mohammad Mujju @ Mojahid Son of Mohammad Akhtar Resident of Village - Chak Daulat, P.S.- Bakhtiarpur, Dist.- Patna.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate.

For the Opposite Party/s : Mr. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 13-10-2020 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged that all the accused persons including these petitioners came at the house of the informant and Mohammad Zahid and Vicky Alm fired upon the chest of the informant's wife and she died on the spot.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land



dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is long standing land dispute between the parties. There is case and counter case. As a matter of fact, both these petitioners are step brothers of the informant. Similarly situated co-accused, namely, Mohammad Akhtar and Mohammad Kamruddin have been enlarged on bail by a co-ordinate bench of this Court vide order dated 24.02.2020 passed in Cr. Misc. No. 1298 of 2020. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Barh, Patna in connection with Bakhtiarpur P.S. Case No.247 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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