

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80396 of 2019

Arising Out of PS. Case No.-84 Year-2019 Thana- KOPA District- Saran

1. ALISHER SHAH Son of Abbas Shah Resident of Village - Anwal, P.S.- Kopa, District- Saran
2. Shamsheer Shah @ Shamsheer Ali Son of Abbas Shah Resident of Village - Anwal, P.S.- Kopa, District- Saran
3. Nazir Shah Son of Mazid Shah Resident of Village - Anwal, P.S.- Kopa, District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-03-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in a case instituted for the offences under Sections 147, 148, 149, 323, 324, 307, 302 and 504 of the Indian Penal Code.

The prosecution case in short is that the accused persons assaulted the son of the informant due to which he sustained injuries and later succumbed to the injury.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 9.9.2019 and have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. Charge-sheet has been submitted in the present case. As far as petitioner no. 3 is concerned, there is no



allegation of assault alleged against him. At best, he is said to be member of unlawful assembly. As far as petitioner nos. 1, 2 and one Naushad are concerned, they are alleged to have given a knife blow upon the deceased. There is a case and counter case between the parties. For political reasons, the petitioners have been made accused in the present case.

On behalf of the State, it is submitted that the petitioner nos. 1, 2 and Naushad is said to have given a knife blow upon the deceased. As per the post-mortem report, there are 10 external injury on the body of the deceased. The post mortem report corroborates with the allegation made in the F.I.R.

Considering the same, I am not inclined to grant bail to petitioner nos. 1 and 2. Their prayer is rejected. The Court below is directed to take all necessary steps to expedite the case expeditiously preferably within nine months from the date of receipt/production of a copy of this order.

So far as petitioner no. 3 namely Nazir Shah is concerned, he is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra in connection with Kopa P.S. Case No. 84 of 2019.

Pankaj/-

(Sudhir Singh, J)

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