

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30692 of 2022

Arising Out of PS. Case No.-716 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

1. NASHIM MIYAN @ MD. NASEEM S/o Rahman Miya R/o village-Khagaura, P.S.- Siwan Muffasil, District- Siwan
2. ARSHAD ALI @ ARSHAD HUSSAIN S/o Nashim Miya R/o village-Khagaura, P.S.- Siwan Muffasil, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Ayush Kumar, Advocate
For the State : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-09-2022 Heard both sides.

The petitioners apprehend their arrest in connection with Siwan Muffasil P.S. Case No.716 of 2018, registered for the offences punishable under Sections 341, 324, 326, 307, 504, 506, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner No.1, Nasim Miya is said to have sent pistol and co-accused, Shakil @ Raju fired upon the son of the informant from that pistol. It is also alleged that the petitioners and other co-accused persons conspired with each other and Shakil @ Raju fired upon the son of the informant.

Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that no specific overt act is alleged against the petitioners rather the allegation is general and omnibus.

The learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts aforesaid, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil P.S. Case No.716 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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