

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22409 of 2023

Arising Out of PS. Case No.-529 Year-2022 Thana- CHANDAUTI District- Gaya

1. ASHUTOSH KUMAR SINGH @ ASHUTOSH KUMAR SON OF SURESH PRASAD RESIDENT OF MOHALLA JAIL ROAD, P.S. RAMPUR ,DISTRICT GAYA
2. SAQUIB SERAJEE @ SAQUIB SON OF SERAJ AHMAD RESIDENT OF MOHALLA- NAGMATIYA COLONY, PS- CIVIL LINES, DISTT- GAYA
3. MOHAMMAD NAWAB SON OF MD. YUNUS RESIDENT OF VILLAGE- SAHMIR TAKYA, PS- CIVIL LINES, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. A. Shamsi

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Chandauti P.S. Case No. 529 of 2022 (G.R. No. 7226 of 2022) registered for the offences punishable u/s 341, 504 and 506 read with section 34 of the Indian Penal Code and sections 25(1-b), a/26 of the Arms Act.

As per prosecution case, when the informant went to see the land and found that construction work was being done on his plot. When the informant objected, the petitioners started abusing the informant and the petitioner no. 3 put pistol on his temple thereafter



the informant raised alarm then all the accused persons fled away from the spot after leaving the pistol.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The petitioner No. 1 and 2 have no criminal antecedents and the petitioner no. 3 is also accused in two other criminal cases in which he is on bail as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances as well as the nature of allegation, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Chandauti P.S. Case No. 529 of 2022 (G.R. No. 7226 of 2022), subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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