

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11743 of 2024

Arising Out of PS. Case No.-332 Year-2023 Thana- SULTANGANJ District- Patna

1. Saif Mallick SON OF MD. ASIF MALLICK Resident of village- KASIM COLONY, PS- SULTANGAJ, DIST- PATNA
2. WASIF ALI @ KAMANDO @MD. ARIF SON OF MD. KASIM MALLICK @ QUASEEM UDDIN MALLICK Resident of village- KASIM COLONY, PS- SULTANGAJ, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Tiwary, Adv.
For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-03-2024 Heard Mr. Saket Tiwary, learned counsel for the petitioners and Mr.Dilip Kumar No.1, learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147/148/149/323/341/504/506/447 of the IPC and section 27 of the Arms Act.

3. As per the prosecution case, an altercation was going on in between two groups of the locality and the informant separated both the groups. After sometime, the petitioners and other co-accused persons came armed near the house of the informant and abused him. Thereafter, one Laddu Mallick fired four rounds, one of which bullet hit the wall of Idrish.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. There is a case and counter-case between the parties and there is no specific overt act against the petitioners. Though there is allegation of firing against one accused person but nobody has sustained any injury. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. 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 court below where the case is pending/Successor Court in connection with Sultanganj P.S. Case No.332 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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