

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53921 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- CHANDRADIP District- Jamui

Mohammad Kutubuddin @ Md. Mohsin, aged about 77 years, Male, S/o Late
Md. Mobinuddin, R/O Village-Kaitha, P. S.-Chandradeep, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Chandradeep PS Case No.66 of 2024 dated 06.04.2024,
instituted under Sections 147, 148, 149, 341,323, 324,307, 506
of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner is that he along
with other accused persons came at the spot armed with various
weapon. It is further alleged that the petitioner along with other
accused persons made air firing and assaulted Md. Hannad
Anwar and Md. Naushad Anwar by sword and iron rod causing
injury to them.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that FIR has been lodged against



twenty eight persons including the petitioner. It is further submitted that the petitioner was working as Constable but due to blindness he has taken voluntarily retirement from service on 11.10.2008, and has been implicated in this case due to village politics. Further submission is that there is no specific allegation against the petitioner, rather allegation against the petitioner is general and omnibus in nature. Petitioner is aged about 77 years having clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, 1st, Jamui, in Chandradeep PS Case No.66 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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