

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12485 of 2015

Arising Out of PS.Case No. -227 Year- 2014 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Shah Husain @ Sausain @ Shah Husan S/o Manjur Mian At Nepali
Station Road No. 3, P.S. Raxaul, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anang Mohan Sinha

For the Opposite Party/s : Mr. Raj Kishore Singh(App)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 28-08-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail custody since
28.08.2014 for the alleged offence under Sections 341, 324 and
307 of the Indian Penal Code.

The prosecution case in, brief, is that on 26.8.2014 at
about 8 P.M. the informant got information that the petitioner has
stabbed dagger blow in the abdomen of his son Mukesh Kumar
and his son is lying in unconscious condition. On information the
informant went at the spot and saw the injured unconscious son. It
is further alleged in the FIR that with an intention to commit the
murder, his son has sustained injury. Thereupon, his son was
brought to Ducan Hospital , Raxaul for treatment.

It has been submitted by the learned counsel for the petitioner that the FIR has been lodged by the informant after a lapse of more than 15 hours when the place of occurrence is just one and a half kilometer from the police station. From injury report it appears that the injury is small laceration 1 x 1 cm mesaty of small bowel as is evident from para 24 of the case diary. It has been further submitted by the learned counsel for the petitioner that the petitioner has been falsely implicated in the said case.

Under such circumstances, let the petitioner, namely, Shah Husain @ Sausain @ Shah Husan, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul in Raxaul P.S.Case No. 227 of 2014.

(Nilu Agrawal, J)

singh/-

U		T	
---	--	---	--