

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23133 of 2015

Arising Out of PS.Case No. -213 Year- 2013 Thana -BAJPATTI District- SITAMARHI

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1. Md. Ashique Son of Md. Razique resident of village- Mirzapur, P.S-
Bajpatti, District- Sitamarhi

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Kamil Akhtar

For the Opposite Party : Mr. Sanjay Kumar Tiwary-I(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-05-2015

Petitioner is languishing in custody since

09.02.2015 in a case registered for the offences punishable
under Sections 147, 148, 149, 302, 307, 323, 324, 325, 379,
427,435, 448 of the Indian Penal Code.

It is alleged that informant was travelling on
an auto rickshaw on 22.10.2013 but when he reached near the
house of co-accused Md. Mozibul Rahman @ Laddu, 17-18
persons surrounded and thereafter co-accused Mozibul
Rahman @ Laddu, Md. Shamim and Md. Zabbar ordered to kill
the informant whereupon Md. Mozibul Rahman @ Laddu
assaulted the informant with iron rod on his head. Co-accused
Md. Shamim and Md. Zabbar pelted stones and thereafter all
the co-accused assaulted the informant. It is alleged against
Md. Mozibul Rahman @ Laddu to have caused injury with knife
to brother of the informant Md. Sohail and when niece of the
informant Kahkasha Khatoon and Haraksha Khatoon came to

rescue, they were also assaulted and the auto rickshaw was put on fire.

It is submitted by learned counsel for the petitioner that specific accusation of assault is against Mozibul Rahman @ Laddu, Md. Shamim and Md. Zabbar. The accusation is omnibus and general against the petitioner. Moreover other co-accused Rukshana Khatoon has been granted bail vide Cr. Misc. No. 12556 of 2014.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, 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 Chief Judicial Magistrate, Sitamarhi in connection with Bajpatti P.S. Case No. 213 of 2013.

(Dinesh Kumar Singh, J)

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