

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36819 of 2015

Arising Out of PS.Case No. -20 Year- 2015 Thana -MANSAHI District- KATIHAR

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1. Md. Habibur Rahman @ Habibur Rahman Son of Amjad Ali resident of
village - Kursel Bandh Tola, P.S. Mansahi, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. B.Ram(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Sections 342, 323, 324, 307/34 of the Indian Penal Code.

The prosecution case in, brief, is that on 15.3.2015 at
about 10.30 P.M., the petitioner and others came in the river
Karikoshi and started fishing and when the informant raised alarm
then he was assaulted and co-accused pushed him on the ground
and the petitioner sat on his chest and wanted to cut his neck.

It has been submitted on behalf of the petitioner
that the petitioner is in custody since 29.6.2015. Charge sheet has
been submitted in this case. There is no allegation of tampering
with the evidence against the petitioner. The petitioner has got no

criminal antecedent. The time of occurrence is about 10.30 in the night. The prosecution has not disclosed the source of identification, which casts serious doubt upon the prosecution.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the facts aforesaid, let above named petitioner 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 Sri B.B.Roy, learned Judicial Magistrate, 1st Class, Katihar, in Mansahi P.S.Case no. 20/2015.

(Sudhir Singh, J)

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