

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48214 of 2014

Arising Out of PS.Case No. -117 Year- 2013 Thana -PIRPAINTI District- BHAGALPUR

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1. Md. Shamshad @ Md. Shamsad Son of Md. Fatto @ Sheikh Fatto
resident of village- Sunderpur, Police Station- Pirpainty in the District of
Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Prasad Roy, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 27-03-2015 Heard learned counsel for the petitioner as well as

learned APP for the State.

Initially, petitioner along with others carried omnibus allegation with regard to making criminal trespass having variously armed and had assaulted member of the prosecution party wherein Md. Murad aged about 13 years died on account of injury sustained by him. Subsequently, it is evident that petitioner has been identified to be assailant of Mr. Siraj by means of Farsa. However, Md. Siraj has been examined under para-83 of the case diary whereunder he had pointed out Md. Imam, Md. Mahboob and the petitioner to be responsible for assaulting him. Furthermore, from perusal of supplementary case diary at para-40, it is evident that Md. Siraj had sustained one injury over his head, simple in nature, caused by sharp cutting weapon. Some of the

accused have already been granted bail vide Cr.Misc. Nos. 3329, 6450, 33957 and 38158 of 2014.

Consequent thereupon, petitioner, Md. Shamshad @ Md. Shamsad is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Pirpainti P.S. Case No.117/2013.

(Aditya Kumar Trivedi, J)

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