

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29655 of 2015

Arising out of PS.Case No. -121 Year- 2014 Thana -AWADPUR District- KATIHAR

Md. Tauquit @ Md. Taukit, S/o Md. Iqubal, resident of village- Dhumtoal,
Dhatta P.S. Abaodpur, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Singh, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Pandey(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-10-2015 Heard learned counsels for the petitioner, informant and
learned counsel for the State

The petitioner is languishing in custody since 16.12.2014
in connection with Abadpur P.S. Case No. 121 of 2014, G.R. No.
2757/2014 for the offences instituted under Sections 341 and
307/34 of the IPC.

The prosecution story, in brief, is that on 08.12.2014 at
about 4.00 P.M. hot-talking between Iqueabal and the informant in
the field. Thereafter, the informant returned to her house, and in
the meantime, said Iquebal gave order to the petitioner (Tauquit)
then he assaulted to her son, namely, Gulam, by means of
bamboo- piece on his head, due to which, he fell down and
became unconscious. It is alleged that after assaulting the son of

the informant both the persons were fled away from the place of occurrence. It is also alleged that on alarm raised by the informant several persons came at the place of occurrence.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 16.12.2014 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. As per prosecution case, single blow is alleged to have been given by the petitioner on the head of the deceased. There is no repetition of blow alleged against the petitioner. It is a case at best for offence under Section 304 IPC. It is further submitted that the petitioner may be released after completion of one year in custody from 16.12.2014.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioner is named in the F.I.R. and he has assaulted the deceased.

Considering the aforesaid facts and circumstances, it is directed that the petitioner may be released on bail after completion of one year in custody from 16.12.2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-II, Katihar, in connection with Abadpur

P.S. Case No. 121/2014, G.R. No. 2757/2014, corresponding to
Sessions Trial No. 124 of 2015.

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(Sudhir Singh, J)

