

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28530 of 2015

Arising Out of PS.Case No. -99 Year- 2015 Thana -JOKIHAT District- ARRARIA
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1. Mahfooz Son of Late Kare Resident of village Bardenga, P.S. Mahgaon,
District Araria..... Petitioner

Versus

1. The State of Bihar. Opposite Party
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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Opposite Party/s : Mr. Ram Chandra Sahani(App)
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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-10-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Jokihat
(Mahalgaon) P.S. Case No. 99 of 2015 registered for the offence
punishable under Sections 452, 341, 323, 324, 354 (B), 307 of the
Indian Penal Code.

Supplementary affidavit has been filed on behalf of the
petitioner which has been taken on record.

The allegation against the petitioner is that when the
informant was sleeping in her house with her baby Sanobar, he put his
hand on the body of her baby and then she cried and the informant
caught his hand and then in the meantime the petitioner gave knife blow
thrice causing injury to her baby.

Submission is of false implication and that the matter has
been compromised and to this extent compromise petition has been
filed. Three injuries have been found on the person of the victim, out of

that injury no. (ii) and (iii) were caused by hard blunt object and injury no. (i) is also skin deep and all are simple in nature. The petitioner is aged about 70 years and is suffering in custody since 15.05.2015. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence to which learned APP opposes but learned counsel appearing in behalf of the informant submitted that the matter has been compromised.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 99 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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