

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31426 of 2015

Arising Out of PS.Case No. -113 Year- 2015 Thana -BISFI (PATAUNA) District- MADHUBANI

1. MD. SALMAN S/o Maulvi Nasim Resident of Village Kathaila, P.S. Bisfi (Patauna), District Madhubani. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Bimal Kumar

For the State Mr. Ajay Kumar-I A.P.P.

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 19-08-2015

Supplementary affidavit has been filed on behalf of the

petitioner. Let it be kept on record.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State as well as learned counsel for the informant.

The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 541, 323, 324, 325, 307, 357, 379, 504 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is that altogether 14 accused persons including the petitioner came to the shop of the informant and assaulted him. Md. Alkama came there to rescue the informant, was assaulted by the petitioner, Akhat Ali, Haidar Ali, Md. Kafil and Md. Pappu with lathi, sword and iron rod.

It is submitted that there is land dispute between both the parties. There is no specific allegation of overt act against the

petitioner and there is a case and counter case between both the parties. Begam Khatoon, cousin sister of the petitioner has filed Bisfi (Patauna) P.S. Case No. 115 of 2015 against the informant and others.

He has further submitted that from perusal of the injury report of Md Alkama, it appears that only two injuries have been found on his person and five persons including the petitioner have been to alleged to assault him.

Learned counsel for the other side could not controvert the contention of the petitioner while opposing the prayer for bail. After investigation the case has been found true and charge-sheet has been submitted against the petitioner.

Considering the facts and circumstances of this case, the above-named petitioner is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhubani in Bisfi (Patuna) P.S. Case No. 113 of 2015 with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in

the court.

4.
- In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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