

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38876 of 2015

Arising out of PS.Case No. -132 Year- 2015 Thana -HAJIPUR SADAR District-  
VAISHALI(HAJIPUR)

Md. Irfan, S/o Md. Yusuf, resident of Village Sendhuari, P.S. Dadar  
(Hazipur), District Vaishali.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

Appearance :

For the Petitioner : Mr. Uma Shankar Singh, Advocate.

For the Opposite Party : Mr. Abhay Kumar 1(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH  
ORAL ORDER

3 09-10-2015 Heard learned counsel for the petitioner and learned  
counsel for the State

The petitioner is languishing in custody since 22.03.2015  
in connection with Hajipur Sadar P.S. Case No. 132 of 2015 for  
the offences instituted under Sections 307, 302, 324, 326, 147,  
148, 149, 452, 504, 506, 364, 427 and 380 of the IPC.

The prosecution story, in brief, is that on 21.03.2015 at  
about 7.30 P.M., the assailants came at the house of the informant  
on seven motorcycles, in order to locate the house of the informant  
thereafter 1 and ½ hours later on 65-70 persons armed with Lathi,  
Danda, Bhala, Sword, Axe, Farsa and about 10 ladies having brick  
bats surrounded the house of the informant, started brick batting



and when the informant and his son Sanjiv Kumar alias Putul and Kumkum Patel @ Muntun Patel came outside of the house, the assailants caught hold his son Sanjiv Kr. and started assaulting him brutally with the weapons in their hands. When the second son Kumkum Patel came to rescue and he too was assaulted in the stomach and thigh with edged weapons. It is further alleged that the accused persons named in the F.I.R. slit the throat of his son Sanjiv Kr. @ Putul with sharp edged weapons and dragged and the rest accused persons entered into his house damaged the house hold and also kidnapped his daughter-in-law Chandani in order to kill her. The cause of occurrence is said to be that the son of the informant Sanjiv Kr. @ Putul had performed love marriage with Chandani Khatoon five months ago for which a case was filed in Sadar P.S. and in retaliation of the same this occurrence took place. The police recovered the dead body of the son of the informant, namely, Sanjiv Kumar from below a small bridge kept in a Ganni bag, which was sent to Sadar Hospital for postmortem.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 22.03.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. Altogether 65-70 persons have been made

accused in the present case. No specific injury has been attributed against the petitioner. Omnibus and general allegation has been made against the petitioner. The other co-accused have been granted bail by this Court vide Cr. Misc. Nos. 24149/2015 and 38606 of 2015.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned C.J.M., Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 132/2015.

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(Sudhir Singh, J)