

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2202 of 2015

Arising Out of P.S.Case No. -92 Year- 2014 Thana -NAUHATTA District- SAHARSA

- =====
1. Md. Yusuf Son of Late Md. Naimul
 2. Md. Hakiquat Son of Md. Yusuf Both resident of village - Nauhatta, Police Station Nauhatta, District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 12-03-2015

Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in a case for the offence punishable under Section 302/34 of the Indian Penal Code.

The allegation against the petitioners and others is to have assaulted the deceased, Md. Junaid Alam, nephew of the informant while he was trying to pacify the assault between both the parties.

Learned counsel for the petitioners submits that there was altercation and assault between Yusuf and his brother on the one hand and Sultan and others on the other hand. There was no intention to kill the deceased. The deceased came to pacify the assault between both the parties. He got injury and succumbed to his injury. After investigation chargesheet has already been submitted and there is no chance of tampering with the witnesses.

Learned counsel for the State submits that there

is allegation of assault against the petitioners and they have criminal antecedents also.

Considering the facts and circumstances of this case, the above-named petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C. K. Tiwari, Judicial Magistrate, Saharsa, in Nauhatta P. S. Case no. 92 of 2014 with the following conditions :

1. One of the bailors will be the close relative of the petitioners.
2. The petitioners will not indulge in similar or in any other offence.
3. The petitioners 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, their bail bonds will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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