

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18446 of 2015

Arising Out of PS.Case No. -400 Year- 2014 Thana -MARHAURA District- SARAN

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Azaz Khan Son of Late Kasim Kha by resident of Village- Bhualpur,
Police Station- Marhawrah, District- Saran at Chapra, Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-06-2015

Heard both sides.

The petitioner seeks bail in a case registered under
Section 302 and other sections of the Indian Penal Code.

The informant, widow of the deceased, stated that on
account of pregnancy, she was living in her Naihar but on
08.12.2014, her husband came and began to abuse her. On such,
Azaz Khan, cousin uncle of the informant, came and assaulted the
husband of the informant by putting him down on the road. It is
submitted that the petitioner did not use any weapon. The
deceased was in a drunken state and he himself fell down. No case
under 302 I.P.C., on the face of the allegation, appears to be made
out. The petitioner is in jail for more than six months.

Considering the fact that the informant is alleged to
have assaulted the deceased with fists and slaps when the deceased

was abusing his wife and the petitioner has already remained in jail for six months, the above named petitioner is directed to be enlarged 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 Chief Judicial Magistrate, Saran at Chapra in Marhowrah P.S. Case No. 400/2014.

(Prabhat Kumar Jha, J)

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