

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19111 of 2016

Arising Out of PS.Case No. -281 Year- 2015 Thana -JOKIHAT District- ARRARIA

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Azhar @ Ajhar Son of Jainuddin, Resident of Village - Matiyari, P.S. -
Jokihat, District - Araria.

... Petitioner/s

Versus

1. The State of Bihar

... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Veena Rani Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 01-08-2016

Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner is languishing in custody since 21.03.2016 in connection with Jokihat (Mahalgaon) P.S. Case No. 281 of 2015 for the offences instituted under Sections 302/34 of the Indian Penal Code.

The prosecution story, in brief is that on 4.10.2015 at about 8 P.M petitioner and other accused came on the tea stall of the deceased Salauddin and demanded money which was taken. The father of the informant (deceased) stated that at present he had no money to pay and thereafter, accused person started abusing and on the same day, in the night, at about 8.30 P.M all the accused person including petitioner came at Tea stall of his father and started abusing him and demanding money and on being ordered by the co-accused Sarwar and Tahrul accused person started assaulting of the father of the informant with lathi Danda

and piece of the Bamboo and they also assaulted the mother of the informant. The father and mother of the informant sustain serious injuries on their head and all over the bodies. They fell down and became unconscious and while the way of Araria Hospital the father of the informant died.

It has been submitted on behalf of learned counsel for the petitioner that the petitioner is in custody since 21.03.2016. Charge-sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tempering of evidence against the petitioner. No specific injury has been attributed against the petitioner. General and omnibus allegation has been made.

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 Sub-Divisional Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 281 of 2015.

(Sudhir Singh, J)

Prakash/-

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