

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22223 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -GHANSHYAMPUR District- DARBHANGA

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Dhanma @ Md. Dhanma @ Md. Zakir S/o Late Islam, R/v Pohaddi Bela,
P.S. Ghanshyampur, Dist. Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Parmanand Pd., APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 18-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offence under Sections 147, 148, 149, 448, 323, 324, 307, 452, 302, 504 and 120B of the Indian Penal Code.

The prosecution case, in brief, is 12.1.2016 at 6.30 P.M. the informant's brother, namely, Md. Shakil was returning from the Market and when reached near the house of Md. Yasin, ten accused persons including the petitioner started abusing and assaulting his brother (the deceased) with khanti and iron rod on his head. On his cry the informant and others came to save him and then the accused persons fled away. Thereafter he was taken to local Hospital from where he was referred to P.M.C.H., Patna for better treatment but during traveling to Patna he died.

It has been submitted on behalf of the petitioner that

the petitioner is in custody since 15.1.2016 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses against the petitioner. General and omnibus allegation has been made against the petitioner. From perusal of the case diary, it is evident that the specific allegation has been made against the co-accused, namely, Md. Mojamil, who is said to have assaulted on the head of the deceased with *Khanti*. The same is corroborated by the postmortem report also.

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

Considering the aforesaid facts and circumstances, let the above named petitioner 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 learned A.C.J.M., Benipur, Darbhanga in connection with Ghanshyampur P.S. case No.5 of 2016.

(Sudhir Singh, J)

Narendra/-

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