

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50542 of 2015

Arising Out of PS.Case No. -108 Year- 2015 Thana -FORBESGANJ District- ARRARIA

1. Md. Reyaz S/o Late Powai Resident of Village- Purwari Jhirwa, P.S.-
Forbesganj (Simraha), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Chandra Bhushan Prasad (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 03-03-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 341, 323, 324, 326, 307 and 504 of the
I.P.C

The allegation against the petitioner is that he
assaulted Md. Hamid who is his son-in-law with the piece of
bamboo resulting Md. Hamid fell down and then the petitioner
stabbed knife in his stomach and when the informant tried to pull
the knife he received injury in the fingers of his right hand.

Submission is of false implication and that no offence
under section 307 I.P.C. is made out, there was no intervening
circumstance, the petitioner has not repeated the blow and the

injury found in the abdomen of the informant is simple in nature and as such the petitioner who is suffering in custody since 08.04.2015 deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering detention of the petitioner, now he is directed to 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 C.J.M. Araria in Forbesganj (Simraha) P.S. Case No. 108 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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