

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33775 of 2016

Arising Out of PS.Case No. -67 Year- 2015 Thana -BABUBARHI District- MADHUBANI

=====

Md. Rasool @ Gulam Rasool Son of Late Salim Resident of village -
Khoriya Tola Brail, P.S. Babubarhi, District - Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-08-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Babubarhi P.S. Case No. 67 of 2015 registered for the offence
punishable under Section 307 and other allied sections of the
Indian Penal Code.

The prosecution case, in brief, is that while on
08.05.2015 at about 4:30 P.M., Md. Samsad and Md. Rasique
were quarrelling and the informant came there to pacify them, Md.
Iliyas assaulted the informant and on hulla, Md. Rasool (
Petitioner) armed with sword came there and assaulted Md.
Roostum, brother of the informant by sword and thereafter Md.
Iliyas gave a farsa blow on the head of the informant, as a result of

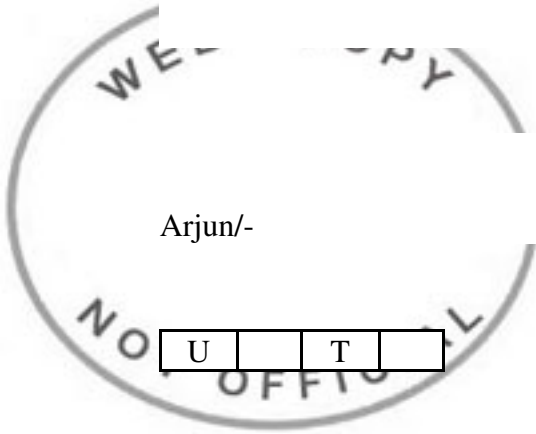
which he fell down and blood was oozing. Md. Ismail assaulted Sakina Khatoon on her head. Other accused persons have also assaulted the father, sister and brother of the informant.

It has been submitted by the learned counsel for the petitioner that the petitioner is alleged to have given sword blow on Md. Roostum causing injury, which has been found to be simple in nature. He further submits that petitioner is innocent and has committed no offence and because of dirty village politics and personal enmity, he has falsely been implicated. It has further been submitted that no case under Section 307 of the Indian Penal Code is made out against him and that the petitioner has no criminal history, as is evident from paragraph 3 of this application.

However, learned A.P.P. for the State submits that petitioner is named in the First Information Report and he along with other accused persons caused injury on the informant's side, hence, opposes the prayer for bail.

Be that as it may, let the petitioner, named above, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Neeraj Kishore, learned Judicial Magistrate 1st Class, Madhubani

in connection with Babubarhi P.S. Case No. 67 of 2015, subject
to the conditions as laid down under Section 438(2) of the Cr.P.C.



Arjun/-

U		T	
---	--	---	--

(Nilu Agrawal, J.)