

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46978 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -AMDABAD District- KATIHAR

=====

Mahtab @ Mahtab Ali, son of Abdul Hakim, resident of Village- Bara
Lakhanpur, P.S.- Amdabad, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Rabindra Kumar

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Amdabad P.S. Case No. 73 of 2016, registered under Sections 341,
323, 325 and 307/34 of the Indian Penal Code.

The accusation is that at the time of occurrence, ten
persons named in the F.I.R., including the petitioner, were present. At
that time Altaf Hussain caused injury at the chick of informant through
hammer due to which he became unconscious. When Alamgir, nephew
of the informant, rushed to save him then co-accused Sabir caused
injury at his head through sword. When sister-in-law of the informant
rushed to save him then this petitioner caused injury to him and other
family members of the informant.

Learned counsel for the petitioner submits that while
there is allegation against petitioner to cause injury to the Bhabhi



(sister-in-law) of the informant, but they are not examined by the Doctor and only informant and one Alamgir were examined by the Doctor, who are said to be assaulted by Afatab Hussain and Sagir and not by this petitioner. Further submission is that occurrence took place due to quarrel of the children, but with ulterior motive, the petitioner who was present there has also been implicated in this case with false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in connection with Amdabad P.S. Case No. 73 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

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

