

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40197 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -JOGBANI District- ARRARIA

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Md. Mukhtar son of late Gaffar, resident of Village- Amouna, Police
Station- Jogbani, District- Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party : Mr. Sri Vinod Shankar Modi, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-10-2016

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends arrest in Jogbani P.S.Case No.12
of 2016 for the offences alleged under Sections 341, 323, 324,
307 and 379/34 of the IPC .

The prosecution case is that on 10.02.2016 while the
informant was returning to his home with his friend Imtiaz on a
motorcycle, this petitioner also came there and his brother Itaz also
came there with another motorcycle and after overtaking the informant
stopped him. The petitioner took away the key of motorcycle of the
informant and inflicted dagger blow on Md. Imtiaz but he anyhow
escaped. When the accused tried to take away the motorcycle of
the informant, the informant protested, then this petitioner
inflicted dagger blow on the informant which caused injury on his
neck and the accused took away Rs.15,000/-, a mobile

phone and a silver chain from the informant.

It has been submitted by learned counsel for the petitioner that he is innocent and has falsely been implicated in the aforesaid case. He further submits that the injury caused on the informant has been found to be simple in nature, hence, no case under Section 307 of the IPC is made out. He further submits that he has got no criminal history as is evident from paragraph-3 of this application and that good relations have been restored between the parties.

However, learned APP for the State submits that the petitioner is named in the FIR, hence, opposes the prayer for bail.

Be that as it may since the petitioner has been implicated on the basis of suspicion and that he has no criminal antecedent, let the above named petitioner in the event of his arrest or surrender before the learned court below within a period of eight weeks 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 Additional Chief Judicial Magistrate-I, Araria in connection with Jogbani P.S.Case No.12 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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