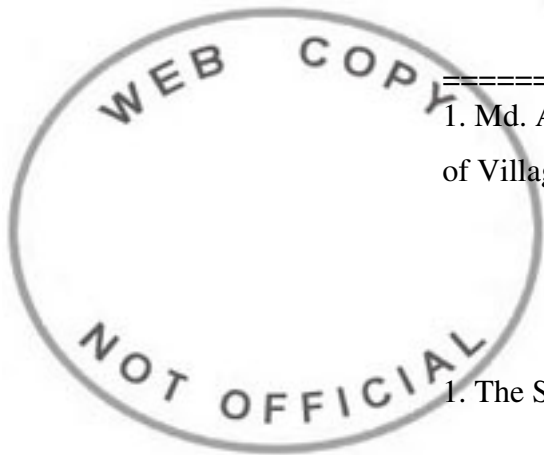


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1256 of 2016



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1. Md. Azaz Ali @ Md. Azam Ali @ Azaz @ Nepali Son of Israfil Resident
of Village- Pratappur, Police Station Husassainganj, District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 11-01-2016 Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
341, 323, 324, 307, 506/34 of the Indian Penal Code.

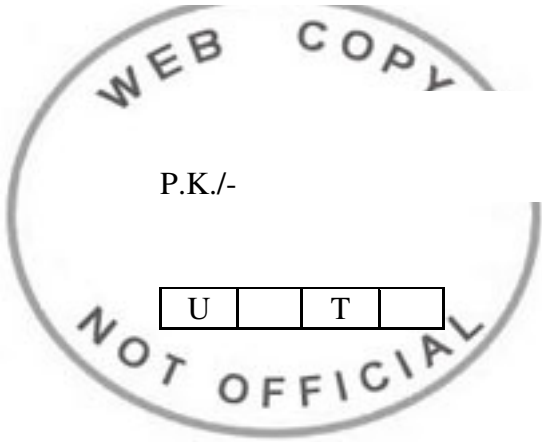
It is alleged that all the First Information Report
named accused persons including the petitioner assaulted
the informant's husband and her grand son by inflicting
knife injuries. When informant went to rescue, then co-
accused Imran assaulted with knife on her head and
hand, when other accused persons caused injury by hard
and blunt substance. The husband of the informant

Quamuddin assaulted by Israfil and the petitioner by fists and slaps. Israfil made an attempt to cause injury with knife on the back of the informant's grand son.

It is submitted by the learned counsel for the petitioner that for the occurrence of 09.07.2015 at 9.30 A.M. the First Information Report was registered on 10.07.2015 at 10.30 P.M. When a Hussainganj P.S. Case No. 167 of 2015 was lodged on 09.07.2015 at 1.00 P.M. by the petitioner with accusation under Sections 341, 323, 324, 307, 302/34 for killing the own brother of the informant namely Imran. Though the petitioner and Israfil alleged to have assaulted with knife to the informant's side, caused incised injury.

Considering the delayed lodging of the case, the case lodged by the petitioner's side at earlier point of time, informant's husband and her grand son were assaulted by all the accused persons and subsequently Israfil and the petitioner assaulted with knife to the informant is not being corroborated by the medical opinion, only one incised injury has been caused, 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 twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Hussainganj P.S. Case No. 168 of 2015, subject to conditions as laid down under

Section 438(2) of the Code of Criminal Procedure.



(Dinesh Kumar Singh, J)