

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41628 of 2016

Arising Out of PS.Case No. -213 Year- 2015 Thana -BIHARIGANJ District- MADHEPURA

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MD. Kajim S/o Md. Vasir @ Mastan resident of village - Koriyarahi,
Ward No. 7, P.S. Bihariganj, District - Madhepura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pawan Kumar, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-10-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 03.07.2016 in connection with Bihariganj P.S. Case No. 213 of 2015 for the alleged offences under Sections 147, 148, 149, 323, 307, 379, 504, 506, 341 and 342 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated in the backdrop of an old dispute between the parties. In the past the petitioner's wife Rambha Khatoon had filed Bihariganj P.S. Case No. 48 of 2012 against Md. Atabul, husband of the informant. The injury report showing the injury caused by hard and blunt object does not corroborate the accusation of assault by the petitioner with sword. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M., Uda-Kishanganj, District Madhepura in connection with Bihariganj P.S. Case No. 213 of 2015 on the following conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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