

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28701 of 2016

Arising Out of PS.Case No. -499 Year- 2015 Thana -SIWAN MUFFASIL District- SIWAN

Tunna Mian Son of Jahruddin R/o Village- Hakam, P.S.- Siwan Muffasil,
District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha, Advocate.
For the Opposite Party/s : Mr. Sri Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 31.12.2015 in connection with Mufassil P.S. Case No. 499 of 2015 registered for the offences under Sections 341,323,307,379,504/34 of the Indian Penal Code and 3(1) (x) of SC/ST (Prevention of Atrocities) Act.

The prosecution story, in brief, is that while the informant was near the house of Jainul Haque, the petitioner and one Kallu came and started abusing him by calling caste name which was objected by him on this the petitioner gave knife blow causing injury on his neck and Kallu snatched Rs. 15,000/- from the pocket of the informant and fled away.

On behalf of the petitioner, it is submitted that the petitioner

is in custody since 31.12.2015. Charge-sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tempering of witnesses alleged against the petitioner. Single 'Chura' blow is alleged to have been made by the petitioner and there was no repetition. Hence, the petitioner had no intention to commit murder of the victim. It is, at best, a case under Section 325 IPC.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned Additional Sessions Judge, Siwan in connection with Siwan Mufassil P.S. Case No. 499 of 2015.

(Sudhir Singh, J)

Prakash/-

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