

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 53710 of 2015

Arising out of P.S. Case No. - 84 Year - 2014 Thana - BIRPUR District - SUPAUL

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Fajalur Rahman @ Fouzi, Son of Md. Israil, Resident of Brahampur (Naya Tola), P.S. - Birpur, District - Supaul

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate

For the Opposite Party : Mr. Rana Randhir Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

3 11-02-2016

Heard learned counsel for the petitioner and learned counsel for the State.

This is a petition for grant of regular bail in a case under Sections 147, 148, 149, 323, 324, 325 and 307 of the Indian Penal Code.

It is alleged that petitioner ordered to kill the informant upon which co-accused named in the First Information Report armed with deadly weapon came and this petitioner with intention to kill gave sword blow to Murshid Ali on his head and blood oozing out. Accused Saidur Rahman assaulted the informant with lathi as a result of which informant fell down. When Arshad Ali came to rescue he was also assaulted by Md. Abdullah and accused Jayabul assaulted Sabar Ali.

It is submitted on behalf of the petitioner that the

opinion about the injury mentioned in paragraph 18 of the case diary has been reserved. However, in paragraph 24 of the case diary, though nature of injuries are mentioned, but there is no mention that what injuries were found and it has held to be grievous in nature. It is further submitted that the petitioner is remained in jail custody since 10.09.2015.

Hence, having regard to the facts and circumstances of the case, the petitioner, above named, is ordered to 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 Chief Judicial Magistrate, Birpur, District Supaul in connection with Birpur P.S. Case No. 84 of 2014.

(Gopal Prasad, J)

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