

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9846 of 2017

Arising Out of PS.Case No. -16 Year- 2016 Thana -DAGARUA District- PURNIA

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Izharul, Son of Late Rashid, R/o Harkheli, P.S. Dagarua, District - Purnea

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-03-2017 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor.

The application is for grant of bail in connection
with Dagarua PS case no. 16 of 2016 for the offence under
Sections 341, 147, 148, 149, 323, 324, 307, 447, 504, 506 of the
Indian Penal Code.

It is submitted on behalf of petitioner that there is
case and counter case pending between the parties, the dispute is
relating to sale and purchase of land and the persons from
petitioner's side have also received injuries in the same
occurrence. It is further submitted that the allegation against the
petitioner is of assault to one Imtiyaz by *talwar* and there is
allegation of assault by some other accused persons also. It is
further submitted that the injuries are grievous in nature and it is



said to have been caused by hard and blunt substance. It is further submitted that petitioner is in custody for about four months.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that the allegation is not supported by medical evidence and the petitioner is in custody for about four months, the bail application of petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate- I, Purnia in connection with Dagarua PS case no. 16 of 2016 subject to the condition that :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the Court and on the event of failure on his part to appear before the Court below on two consecutive dates without showing any



genuine reason, the prosecution is free to move
for cancellation of his bail bonds.

(Vinod Kumar Sinha, J.)

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