

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42028 of 2017

Arising Out of PS.Case No. -53 Year- 2017 Thana -BANGAON District- SAHARSA

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Md. Tammana @ Tammana @ Md. Tamnna @ Tamnna S/o Late Md. Jubar
Ahmad Resident of Village - Bariyahi Bazar, P.S. - Bangaon, District -
Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bangaon P.S.
Case No. 53 of 2017 for offences punishable under Sections 341,
324, 307, 379, 504, 506/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he saw petitioner and co-accused Amrohi making
construction on his share of land on objection co-accused Amrohi
gave him Farsa blow which hit him on his head and petitioner
gave him Bhujali blow which hit him on his shoulder. Thereafter



accused Amrohi took out money from his pocket and wife of Amrohi also took out his gold chain.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, has been falsely implicated and there was a property dispute between the parties and that the injury on further examination has been found to be simple in nature caused by hard blunt substance. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and is in judicial custody since 17.06.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st Saharsa in connection with Bangaon P.S. Case No. 53 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of



the concerned police station/ court, who will file an affidavit
stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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