

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45911 of 2017

Arising Out of PS.Case No. -132 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Md. Jabbar son of Md. Vakil, resident of Village- Senduari, P.S. Hajipur
Sadar, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anil Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Hajipur Sadar P.S. Case
No. 132 of 2015 registered under Sections 147, 148, 149, 452,
504, 506, 364, 427, 380, 307, 302, 324 and 326 of the Indian Penal
Code.

As per the prosecution case, the petitioner along
with other accused persons is said to have arrived at the house of
the informant and assaulted the informant's son as well as his
daughter-in-law and slit neck of his son, namely, Sanjeev Kumar
@ Putul as the deceased had dared to perform marriage in
different community.



It is submitted by learned counsel for the petitioner that the allegation levelled against the petitioner is not specific rather omnibus. Doctor has found only one injury on the neck of the deceased, hence the assailant of the said injury is not ascertained. The wife of the deceased was with him at the time of occurrence and she has not named the petitioner in the occurrence in her statement recorded under Section 164 of the Code of Criminal Procedure. Similarly situated co-accused, namely, Md. Javed, Md. Abed, Md. Alam have been enlarged on bail by a co-ordinate bench of this court vide order dated 02.05.2016 passed in Cr. Misc. No. 18578 of 2016. The petitioner has been languishing in custody since 24.05.2017.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 132 of 2015.

(Prakash Chandra Jaiswal, J)

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