

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40475 of 2017

Arising Out of PS. Case No.-234 Year-2017 Thana- BHAGWAN BAZAR District- Saran

Md. Firoz Khan @ Firoz Ahmad Son of Late Md. Maskur @ late Mashur
Khan, Resident of Village- Garhiti, P.S.- Bhagwan Bazar, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Advocate

For the Opposite Party/s : Mr. Rajkishore Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

Petitioner seeks bail in connection with Bhagwan
Bazar P.S. Case No. 234 of 2017 registered for the offence
punishable under Section 307 and other allied sections of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was repairing his house, petitioner had parked his
tempo out side the house. Informant asked the accused persons
to remove the tempo on which co-accused Siraj, brother of the
petitioner armed with knife, assaulted the informant causing
injury on his hand. The petitioner is alleged to have taken away
Rs. 9,000/- from the pocket of the informant.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal antecedent and the incident happened at the spur of moment. He submits that the injury is not on the vital part of the body and that petitioner is languishing in judicial custody since 08.07.2017. He submits that petitioner is not alleged to have assaulted the informant, hence, Section 307 of the Indian Penal Code will not be made out against him.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 234 of 2017, subject to the condition that both the bailors would be close relative of the petitioner.

(Nilu Agrawal, J.)

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