

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54309 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -KOCHADHAMAN District- KISANGANJ

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1. Md. Mujahid Alam @ Mujahid Alam,
2. Meraj Alam Both Son of Late Munshi Tauhid Hashan,
3. Imran Alam,
4. Arshad Alam Both Son of Noorul Alam, All R/o Village- Danti, P.S.-
Kochadh Aman, District- Kishanganj.

.... Petitioners/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-11-2017 The petitioners seeks regular bail in connection with

Kochadhaman P.S. Case No. 64 of 2017, registered for offences

punishable under Sections 147, 148, 149, 304, 504 and 302 of the

Indian Penal Code.

Allegation against petitioner no. 1 is of assaulting on the

head of deceased by lathi causing his death and there is also

allegation against other petitioners that they assaulted other

persons.

It has been submitted on behalf of the petitioners that the

dispute arose with regard to grazing of she goat and due to

previous enmity and land dispute they all have been implicated in

this case and no such occurrence has ever taken place and further



there is allegation against several persons of assault, however, only one injury was found on the person of the deceased. Further petitioners have been in custody since 04.05.2017.

Heard learned A.P.P. also.

Having heard both sides, considering the fact and circumstances of the case, so far petitioner nos. 2, 3 and 4 are concerned, they are directed to be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -1, Kishanganj, in connection with Kochadhaman P.S. Case No. 64 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to



appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

So far petitioner no. 1 is concerned, considering the fact that there is direct allegation against the petitioner that he assaulted on the head of the deceased, causing his death, I am not inclined to release petitioner no. 1, on bail, this application with regard to petitioner no. is dismissed.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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