

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49760 of 2016

Arising Out of PS.Case No. -136 Year- 2015 Thana -JALALGARH District- PURNIA

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1. Md. Mobin @ Mobin son of Late Kafiluddin, Resident of Village-
Manward P.S. Jalalgarh, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Jalalgarh
P.S. Case No. 136 of 2015 for the offence punishable under
sections 147, 148, 149, 323, 307, 302 and 504 of the Indian Penal
Code.

It has been submitted on behalf of the petitioner that
as per the first information report there is omnibus and general
allegation against ten accused persons including the petitioner of
assaulting the deceased, but statement of the wife of the deceased
has been recorded in paragraph 9 of the case diary in which she
had not stated about the petitioner rather had stated that other
accused persons had assaulted the deceased, out of whom one
person had assaulted with lathi to the deceased and the post
mortem report also shows that there was only one injury on the



person of the deceased. The petitioner is in custody for more than nine months.

Heard learned A.P.P. also who has opposed the prayer for bail.

Having heard both sides and in view of the fact that there is omnibus and general allegation of assault against the petitioner and in view of the statement of the wife of the deceased in paragraph 9 of the case diary not stating about the petitioner of making any assault, the 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 Additional Chief Judicial Magistrate VI, Purnea in connection with Jalalgarh P.S. Case No. 136 of 2015 subject to the condition that he will cooperate in disposal of the trial and shall make himself available on each and every date fixed in the case and on failure to appear on two consecutive dates, the petitioner will make himself liable for cancellation of bail bond.

With the above condition, prayer for bail of the petitioner is allowed.

(Vinod Kumar Sinha, J)

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