

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12543 of 2017

Arising Out of PS.Case No. -177 Year- 2016 Thana -BARHARA District- PURNEA

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1. Md. Abid, Son of Md. Sirajul, Resident of Village- Megurjan, Police
Station- Barhara, District- Purnea. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Hussain

For the Opposite Party/s : Mr. Sri Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 24-04-2017 Heard both sides.

The petitioner seeks bail in Barhara P.S. case No. 177
of 2016 under Section 307 and other Sections of the Indian Penal
Code.

The informant, Nazmun Khatoon, named 10 persons
and alleged that they, having armed with different weapons, came
to the house of informant and complained that her husband
encroached upon their lands and constructed a thatched house. The
accused persons assaulted the informant and others. The petitioner
is alleged to have assaulted the informant with a piece of bamboo
on her head.

The learned counsel for the petitioner submits that on
account of land dispute the occurrence took place. The petitioner
is alleged to have assaulted the informant with bamboo stick and
one injury was found on the head. The injury is opined to be



grievous on account of haematoma under the head. The informant is hale and hearty and recovered fastly. The petitioner is in jail since 18.09.2016. The petitioner has already remained in jail for seven months.

The learned Additional Public Prosecutor as well as the learned counsel for the informant opposed the prayer for bail.

It appears that on account of land dispute the occurrence took place. The petitioner is alleged to have assaulted the informant with bamboo stick on her head but only one injury, of course grievous in nature, is found, there is no repetition of blow and petitioner has already remained in jail for more than seven months.

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 Sri P. K. Bharti, learned Judicial Magistrate, 1st class, Purnea in Barhara P.S. Case No. 177 of 2016.

(Prabhat Kumar Jha, J)

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