

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29360 of 2017

Arising Out of PS.Case No. -197 Year- 2015 Thana -SIDHWARA District- DARBHANGA

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Md. Chand, son of Sheikh Alamgir, resident of Village- Bhapura, P.S.-
Singhawara, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Mr. Krishna Chandra
For the Informant : Mr. Pramod Kumar
For the State : Mr. Humayu Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

5 21-07-2017 Heard the learned counsels for the petitioner,

informant and APP for the State.

The petitioner seeks bail in connection with
Singhwara P.S. Case no. 197 of 2015 registered for the offence
punishable under Sections 147, 148, 149, 448, 341, 323, 307,
427, 380, 504 and 506 of the Indian Penal Code.

In substance, the accusation against the petitioner is
that he along with seven F.I.R. named accuseds reached at the
door of the informant armed with various deadly weapons and
brutally assaulted him and his family members. This petitioner
allegedly assaulted him by means of *Lathi*.

It is submitted that the other co-accused namely,
Md. Tanweer allegedly assaulted the informant by sword has
been allowed bail vide order dated 15.03.2016 passed in Cr.



Misc. no. 2394 of 2016 and other co-accused Md. Parwez having similar allegation of assaulting the informant by *Lathi* has also been allowed bail vide order dated 16.12.2016 passed in Cr. Misc. no. 53998 of 2016. The case of this petitioner stands on similar footing and he deserves bail. The petitioner is in custody since 20.04.2017.

The learned counsel for the informant vehemently opposed the prayer by submitting that the prayer of anticipatory bail of this petitioner was rejected as he had suppressed the material facts for which Kotwali P.S. Case no. 28 of 2017 was registered. Besides that, the petitioner has suppressed many facts and so he does not deserve bail.

Regard being had to the facts and circumstances of the case and the fact that the case this petitioner stands on better footing to the other co-accusds who are enjoying the privilege of bail, the prayer of this petitioner is allowed. The above named petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 5th, Darbhanga in connection with Singhwara P.S. Case no. 197 of 2015.

(Sanjay Kumar, J)

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