

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30280 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -AMDABAD District- KATIHAR

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Md. Najir, son of Abdul Rashid, Resident of Jhabbu Tola, P.S.- Amdabad,
District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ataur Rahman

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 25-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
15.04.2017 in connection with Amdabad P.S. Case No. 08 of 2017
for offences punishable under Sections 323, 324, 452, 354-A,
354B, 379 and 307 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while she was sleeping in the house and her husband was in
Delhi to earn his livelihood since two and half months the
petitioner entered the house in the night and tried to outrage the
modesty. On objection, he assaulted her with knife and gave knife
blow near the eye.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted and there is no allegation of tampering of prosecution witnesses by the petitioner and that a compromise has been entered into between the parties.

However, learned APP for the State opposes the prayer for bail stating therein that the injury found on the informant has been assessed to be grievous in nature.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of nine months in custody on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Katihar in connection with Amdabad P.S. Case No.08 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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