

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42016 of 2017

Arising Out of PS.Case No. -214 Year- 2017 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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Saheb Alam, Son of Late Muslim Mian, resident of Village- Dhaka Ram
Chandra, P.S.- Dhaka, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Adv.

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 06-11-2017 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
10.07.2017 in connection with Dhaka P.S. Case No. 214/2017, for
the offences punishable under Section 307 and other allied
sections of Indian Penal Code.

The prosecution case as lodged by the informant is that
the petitioner along with ten other persons came to the shop of the
petitioner and assaulted his son and nephew Jitendra Kumar who
sustained serious injury.

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, due to dirty village



politics. General and omnibus allegations have been levelled as ten named and 10-15 unknown persons had assaulted by means of Garasa, Bhala, Farsa, Lathi and sword. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses against the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that the injured in his statement has stated that the petitioner gave sword blow and the injury has been found to be grievous in nature.

Considering the facts and circumstances and materials on record, let the petitioner named above, be enlarged on bail on completion of six 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 Sub-Divisional Judicial Magistrate, Sikarhana at Dhaka in connection with Dhaka P.S. Case No. 214/2017, 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 and that the petitioner will appear before the police/court as and when required and failure to appear on two consecutive dates without assigning any reason will entail



cancellation of his bail bonds.

(Nilu Agrawal, J)

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