

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5274 of 2017**

Arising Out of PS.Case No. -422 Year- 2016 Thana -NAWADA District- NAWADA

=====

1. Md. Afzal Hussain @ Afzal, S/o Md. Faqrudin, R/o Vill- Par Nawada,  
Mirda Toli, P.S.- Bundelkhand, Distt.- Nawada.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Arun Kumar

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      15-02-2017      Heard the parties.

This application has been filed in connection with Town  
(Bundelkhand) P.S.Case No.422 of 2016 for the offence under  
Sections 147, 341, 323, 324, 307, 379/34 of the Indian Penal  
Code.

It is submitted on behalf of the petitioner that he has been  
falsely implicated in this case due to the dispute between the  
children of the petitioner and the informant. The allegation of  
assault is there against the petitioner but the injuries are found to  
be simple in nature. The petitioner is brother of the informant.

Heard learned A.P.P. also.

Having heard both sides. In view of the nature of the  
allegation and as both parties are family members and the injuries



are simple in nature, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Nawada in connection with Town (Bundelkhand) P.S.Case No.422 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

chn/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

