

IN THE HIGH COURT OF JUDICATURE AT PATNA**Criminal Appeal (SJ) No.951 of 2016**

Arising Out of PS.Case No. -155 Year- 2016 Thana -BAHERI District- DARBHANGA

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1. Taqui Ahmad Son of Taiyab Ali resident of Village- Rajkha, P.S. Baheri, District Darbhanga.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjee Kumar Jha

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**ORAL JUDGMENT****Date: 16-01-2017**

1. Heard learned counsel for the appellant as well as learned Special Public Prosecutor for the State.

2. Appellant has challenged the order dated 22.9.2016 passed in BP no. 682/2016 by which learned Addl. Sessions Judge I, Darbhanga refused to release the appellant on bail in Baheri P.S. Case no. 155/2016 registered under section 307 and other minor sections of the Indian Penal Code, section 27 of the Arms Act as well as section 3 (I) (s) of the SC/ST (Prevention of Atrocities) Act.

3. The specific allegation against the appellant is that he gave farsa blow causing head injury to the informant. It is obvious from perusal of the first information report that not only appellant but several others persons also assaulted the informant on his head. The injury report of the informant goes to show that only one injury on his head was found and that is, too, simple in nature and caused by hard and blunt substance. Moreover, co- accused Indrajeet Yadav having similar allegation, has already been released on bail.



4. Considering the aforesaid facts and circumstances as well as submissions of the parties, this criminal appeal is allowed and the impugned order dated 22.9.2016 passed in BP no. 682/2016 passed by learned Addl. Sessions Judge I, Darbhanga is set aside.

5. Accordingly, it is ordered that in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the appellants above named be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate VI, Darbhanga in Baheri P.S. Case no. 155/2016.

(Hemant Kumar Srivastava, J)

Shahid/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.1.2017
Transmission Date	19.1.2017

