

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1265 of 2016

Arising Out of PS.Case No. -157 Year- 2016 Thana -BAHADURGANJ District- KISANGANJ

=====

NAZMUL HUDA @ NAJMUL HUDA @ NAJMUL, SON OF TAHJIB,
RESIDENT OF VILLAGE- WALISTAR, TOLA- PALAKMANI
(PALASMANI), P.S.- BAHADURGANJ, DISTRICT- KISHANGANJ.

.... APPELLANT/S

VERSUS

THE STATE OF BIHAR

.... RESPONDENT/S

=====

Appearance:

For the Appellant/s : Mr. Sarangdhar Jha, Adv.

For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 28-01-2017 Heard learned counsel for the appellant as well
as learned Special Public Prosecutor.

Mob consisting of 30-40 persons engaged in destroying, dismantling shop of informant Suresh Ram and his brother in the night of 22.07.2016 and during course thereof, they have also assaulted the prosecution party and further, in the same sequence abused by calling their caste name. They have also looted away their belongings, ornaments. Furthermore, prosecution claims to have identified Md. Sakil, Md. Akil, Sabbu, Idrish. From the order impugned, it is evident that petitioner was identified by one witness Raju having his presence under para-122 of the case diary being one of the member of the mob. Two of the



accused have already been given privilege vide Criminal Appeal (SJ) No.785/2016 vide order dated 24.10.2016 and the case of the appellant stood on much better footing on account of being co-villager having his absence at the initial stage.

Accordingly, appellant Nazmul Huda @ Najmul Huda @ Najmul is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Addl. Sessions Judge, 1st cum-Special Judge, Kishanganj in connection with Bahadurganj P.S. Case No.157/2016. On account thereof, the order impugned is set aside. That being so, instant appeal is allowed.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

U		T	
---	--	---	--

