

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18075 of 2017

Arising Out of PS.Case No. -221 Year- 2016 Thana -JOKIHAT District- ARRARIA

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Md. Hasibur Rahman @ Muddy, S/o Late Hazi Zahiruddin, Resident of
Village- Ghormara, P.S.- Jokiahat Mahalgaon, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Yadav, Advocate
For the Informant : Mr. Jitendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-04-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Jokihat (Mahalgaon) P.S.Case No. 221 of 2016 registered for the offences punishable under Sections 341, 323, 324, 326, 307, 354B, 379, 506, 504/34 of the Indian Penal Code and later on Section 302 IPC was added.

As per FIR allegation against the petitioner is that he has assaulted by talwar to the deceased and also there is allegation of assault to the deceased by other accused persons.

It has been submitted on behalf of the petitioner that there are two versions in the case, one by brother of the deceased, who has stated about assault by talwar, whereas other version is of wife of the deceased, who has stated about general and omnibus allegation of assault and injuries found on the person of the deceased were hard and blunt substance and petitioner is in custody for three months. It has further been submitted that there is a counter case also, which has been filed earlier to the present case and the petitioner's side had also received injuries.



Heard learned APP and learned counsel for the informant also, who have opposed the prayer for bail.

Having heard both sides and considering the facts and circumstances, as stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Araria, in connection with Jokihat (Mahalgaon) P.S.Case No. 221 of 2016, subject to the conditions that :-

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

(Vinod Kumar Sinha, J)

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