

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40587 of 2016**

Arising Out of PS.Case No. -189 Year- 2013 Thana -KISHANGANJ District- KISANGANJ

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Yaqoob Munna @ Munna Mistri @ Md. Yaqoob Munna Mistri, Son of  
Badrulal Harijan, resident of Mohalla- Ruidhasa, Khankah Road, P.O., P.S.  
and District- Kishanganj.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. D.K. Sinha, Sr. Advocate.  
Mr. Bajarangi Lal, Advocate.  
Mr. A.K. Ghosh, Advocate.  
For the Opposite Party/s : Mr. Dathrath Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**  
ORAL ORDER

3      11-01-2017                      Heard learned counsel for the petitioner and the  
learned counsel for the State.

The petitioner is accused in connection with Sessions  
Trial No. 98 of 2016 arising out of Kishanganj P.S. Case No. 189  
of 2013 registered under Sections 147, 149, 323, 324, 307 and 302  
of the Indian Penal Code.

The allegation is that, on 24.05.2013, petitioner along  
with Sarfaraz @ Laddan, Rubeda Khatoon along with 5-6  
unknown started to surround the land of the informant forcibly.  
When informant, his mother and sister reached there and made  
protest then this petitioner gave iron rod blow at the head of Saida



Bano, mother of informant and co-accused, Sarfaraz @ Laddan caused injury through sharp cutting weapon, on which, she fell down. Thereafter petitioner and Sarfaraz @ Laddan also caused injury through iron road to the mother of the informant. When Nilu @ Rafia Praveen rushed to save her then she was also assaulted. In the meantime, co-accused, Sarfaraz dashed to Saida Bano, mother of informant through tractor.

Learned counsel for the petitioner submits that that the prayer for bail of the petitioner was earlier rejected on merit vide order dated 26.04.2016 passed in Cr. Misc. No. 13762 of 2016 by this Court. It is further submitted while the allegation against the petitioner and one Sarfaraz @ Laddan to cause injury through iron road but the specific allegation against Sarfaraz @ Laddan, who dashed the mother of the informant. Moreover, three injuries were found on the person of the deceased caused by hard and blunt substance due to heavy impact. It is further submitted that co-accused, Sarfaraz @ Laddan has already been granted privilege of bail by this Court vide order dated 16.05.2014 passed in Criminal Misc. No. 4344 of 2014. Further submission is that petitioner is in custody since 20.01.2016.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on



bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional District and Sessions-II, Kishanganj, in connection with Sessions Trial No. 98 of 2016 arising out of Kishanganj P.S. Case No. 189 of 2013. Out of two sureties, one surety must be the close relative of the petitioner.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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