

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6443 of 2017

Arising Out of PS.Case No. -62 Year- 2016 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Ali Hasan Mian, Son of Late Idan Mian, Resident of Village-Malahi Tola,
P.S. Bairiya, District- West Champaran.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 11-05-2017 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner seeks bail in connection with Bairiya P.S. Case No.62 of 2016 registered under Sections 302/34 of the Indian Penal Code.

The accusation is that in course of returning of Islam Mian, the brother of the informant Rajjak Mian, the petitioner and three other F.I.R. named accused surrounded him in the way. At that time, Nanhak Mian alias Nanhaka and Rahim Mian caught hold of Islam Mian, the brother of the informant, and Mukhtar Mian caused injury to Islam Mian, the brother of the informant, through iron rod on his head. This petitioner also caused injury to Islam Mian, the brother of the informant, through lathi. Islam Mian, the brother of the informant, died



on the spot.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that there is specific allegation against the co-accused Mukhtar Mian to cause injury at the head of the deceased Islam Mian, the brother of the informant, through iron rod and this petitioner to cause injury to the deceased Islam Mian, the brother of the informant, through lathi but in the post-mortem examination of the dead body of the deceased Islam Mian, the brother of the informant, only one cut lacerated wound 2" x 1/2" x Bone deep on upper head was found, which is attributed to the co-accused Mukhtar Mian. The petitioner having no criminal antecedent is in custody since 01.08.2016.

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 Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Bairiya P.S. Case No.62 of 2016.

(Rajendra Kumar Mishra, J)

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