

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23932 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

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Afajuddin @ Jhora Son of Wahab Ali Resident of Village- Bomabasti, P.S.-
Kishanganj, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sushmita Mishra

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 14-06-2017 Heard learned counsel for the petitioner and the

learned APP appearing on behalf of the State.

Petitioner, already in custody, seeks bail in
connection with Kishanganj P.S. Case No.08 of 2017, registered
under Sections 341, 323, 302, 120(B) and 34 of the Indian Penal
Code.

Allegation in brief is that the accused persons came
and Sirajul Haque and Kajimuddin caught hold the father of the
informant and Md. Hasan repeatedly assaulted him with a wooden
'khunti' on the left side of his head causing serious head injury and
died during the course of treatment. It is alleged that this
occurrence was committed due to land dispute.

Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated



due to land dispute. There is no allegation in the First Information Report itself that whether the petitioner was armed with any weapon. Moreover, there is no allegation that he assaulted or touched the body of the deceased and there is case and counter case. From the petitioner's side two persons got injury and the petitioner has got clean antecedent.

Learned counsel for the informant submits that the petitioner was present there along with other co-accused.

Having considered the said facts and circumstances, petitioner, namely, Afajuddin @ Jhora is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No.08 of 2017.

(Arun Kumar, J.)

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