

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18294 of 2017

Arising Out of PS.Case No. -7 Year- 2016 Thana -BISFI District- MADHUBANI

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Md. Riyaz @ Md. Rayaz, Son of Late Hadish, resident of Village-
Basbariya, P.S.- Bisfi, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 24-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner seeks bail in connection with Bisfi P.S. Case
No. 07 of 2016, G.R. No. 30 of 2016 registered for the offence
punishable under Sections 341, 323, 304 and 504/34 of the Indian
Penal Code.

The prosecution case, as lodged by the brother of the
deceased, is that on 12.01.2016 at about 2:30 P.M. his younger
brother had gone towards mango orchard. At about 3:00 P.M. his
nephew informed that his brother is serious and on the way to
hospital, his brother died. Informant came to know that petitioner



along with other co-accused had assaulted his brother while playing card.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid offence. The allegation of the informant against the petitioner and two other accused persons is that they assaulted the deceased and the injury/ postmortem report also specify bruises and swelling. It is further submitted that he bears no criminal antecedent and death was due to shock and haemorrhage and the petitioner has been implicated on the basis of suspicion.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Benipatti, Madhubani in connection with Bisfi P.S. Case No. 07 of 2016, G.R. No. 30 of 2016, subject to the condition that petitioner will appear before the learned Court below on each and every date and



failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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