

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46334 of 2017

Arising Out of PS.Case No. -165 Year- 2017 Thana -BARSOI District- KATIHAR

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1. Md. Majrul Son of Late Kalwa, R/o Village- Balupara, P.S.- Barsoi,
District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Barsoi P.S.
Case No. 165 of 2017 for offences punishable under Section 302
and other allied Sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that due to dispute between his son and daughter-in-law about 16
persons from the side of her daughter-in-law came and started
assaulting the informant's side. The petitioner was one of them.
On the assault of Md. Haiyul and Azad the informant's husband
succumbed to the injuries.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and although he is named in the First Information Report, but no allegation of assault has been levelled against him. He submits that some of the co-accused, who had assaulted the informant's son with lathi, have been granted privilege of pre-arrest bail by this Court and that petitioner is languishing in judicial custody since 02.07.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and that there is no allegation of assault against the petitioner, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Barsoi P.S. Case No. 165 of 2017, subject to the condition that both the bailors would be close relatives of the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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