

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70835 of 2018

Arising Out of PS. Case No.-204 Year-2018 Thana- UCHKAGAON District- Gopalganj

1. Mohamad Hussain, S/o Jamadar Mian,
2. Meraj Alam, S/o Husainan Mian,
3. Lalu Alam, S/o Late Sagir Mian @ Sagir Ahmad,
4. Ramjan Mian, S/o Ishaw Mian, All Resident of Village- Birvat Bazar, P.S.- Uchka Goan, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Siya Ram Sahi, Adv.
For the Informant/s	:	Mr. Dharm veer, Adv.
For the Opposite Party/s	:	Ms. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-12-2018 Heard learned counsel for petitioners and learned counsel for the State as well as learned counsel for the informant.

Petitioners, who are in custody, seek bail in connection with Uchka Gaon P.S. Case No. 204 of 2018 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the Indian Penal Code.

Informant has alleged that FIR named accused persons variously armed were entered in his house and assaulted his father. There is specific allegation against Yasin Mian and Jakir Mian of assaulting on the head of father of informant by sharp cutting weapon. In injury report there is one single injury found on the head of the deceased.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They



have falsely been implicated in this case due to land dispute. There is no specific allegation made against the petitioners, allegations are general and omnibus in nature. He has no criminal antecedent and he is in custody since 01.09.2018.

Learned counsel for the informant has vehemently opposes the prayer for bail.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate IX, Gopalganj in connection with Uchaka Gaon P.S. Case No. 204 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.
- (3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

Rajiv/Manoj-

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