

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18878 of 2018

Arising Out of PS.Case No. -120 Year- 2017 Thana -BANGRA District- SAMASTIPUR

=====

Md. Rahmat Ali S/o Late Md. Iliyas, R/o Village- Rahimabad , P.S.- N.H.
Banara, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Shashank Shekhar, Adv.
Mr. Ritwaj Raman, Adv.

For the Opposite Party/s : Smt. Rita Verma, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 01-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 27.12.2017 in connection with N.H. Bangra P.S. Case No. 120 of 2017 for the offence registered under Sections 307, 323 and 341 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that though the police had reached the place of occurrence on 24.12.2017 and made the relevant seizures, the first information report in the case has been registered on 25.12.2017 which itself appears to be an anomaly and casts a cloud on the prosecution story. It is further submitted by learned counsel for the petitioner that despite the fact that there is specific allegation against the



petitioner, no injury report of any of the health centres, where the victim was taken for treatment has been found or is available in the case diary. It is further submitted that when the police went to take the injury report, the doctor concerned has stated that he shall prepare it in due course.

Diary of the present case was called for which has since been received.

Learned counsel for the State after perusal of the case diary submits that admittedly, there is no injury report on the record to substantiate the allegations as made against the petitioner.

Having considered the entire facts and circumstances of the case and after consideration of the statement in the case diary and also there being no criminal antecedent against the petitioner, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-Vth, Samastipur in connection with N.H. Bangra P.S. Case No. 120 of 2017.

(Anjana Mishra, J)

Jagdish/-

U			
---	--	--	--

