

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28168 of 2018

Arising Out of PS.Case No. -70 Year- 2018 Thana -BARHARIA District- SIWAN

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1. Ali Hussain, S/o- Md. Mobin, Resident of Village- Baishakhi, P.S.-
Pachrukhi, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

03 23-05-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Barhariya P.S. Case No.
70 of 2018 registered under Section 147, 149, 341, 342, 323, 307,
352, 353, 332, 333, 379, 504, 120-B of the Indian Penal Code.

The petitioner along with other accused persons are
said to have assaulted the informant in the office of Panchayat
Samiti during course of meeting and made him injured.

It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent and has no concern with the
aforesaid occurrence. He has been falsely implicated in this case.
The allegation levelled against the petitioner is not specific rather
general and omnibus in nature. There is case and counter case
between the parties. The informant has sustained only one head



injury, but the assailant of the head injury is not ascertained. He has been languishing in custody since 18.03.2018. Co-accused, namely, Noman Ahmad @ Kakku, Laddan, Kamod Prasad, Subuk Tara @ Subuktara Khatoon have been enlarged on bail by this Court and co-ordinate benches of this court vide order dated 21.05.2018 11.05.2018, 26.04.2018 and 17.05.2018 passed in Cr. Misc. Nos.31196 of 2018, 28563 of 2018, 24240 of 2018 and 28306 of 2018 respectively.

On the other hand, learned APP and learned counsel for the informant vehemently opposed the bail petition and submitted that the petitioner along with other accused persons assaulted the informant intruding into his office and seriously injured him during the course of meeting.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Chief Judicial Magistrate, Siwan in connection with Barhariya P.S. Case No. 70 of 2018.

(Prakash Chandra Jaiswal, J)

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