

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25006 of 2018**

Arising Out of PS. Case No.-93 Year-2017 Thana- PAHARKATTA District- Kishanganj

Md. Bala @ Saddam Son of Md. Nasru @ Nasiruddin Resident of Village -  
Haykalbari, Police Station - Paharkatta, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

3     17-05-2018                      Heard the learned counsel for the petitioner and  
the State.

The petitioner seeks bail in connection with Paharkatta P.S. Case No. 93 of 2017 dated 17.10.2017 instituted for the offence under Sections 323, 341, 379 and 307 of the Indian Penal Code. However after investigation, charge sheet was submitted under Section 394 of the Indian Penal Code.

The husband of the informant was called by the petitioner and two others for purchase of a second hand motorcycle. However the husband of the informant did not return till late in the night. Only later, the informant/wife could learn that Rs. 30,000/-, which her husband was carrying with him, was snatched and he was assaulted by means of knife. The informant



thereafter went to the place of occurrence and found her husband lying down injured on the road.

Learned counsel for the petitioner has submitted that but for the fact that the petitioner was one of the persons who had called the husband of the informant for purchase of motorcycle, there is no other material to connect the petitioner with the crime. When did the husband of informant leave the company of the petitioner or other persons is not known. True it is that the husband of the informant has received injuries by knife blows, but since there is no eye witness of the occurrence and the implication of the petitioner is only on the basis of his having earlier called the injured for the purchase of motorcycle, he ought not to be kept in jail. After the implication of the petitioner in the present case, he has been made accused in another case in which he is on bail. The injury report was provided much later and that also by a private doctor.

Considering the aforesaid facts as also taking into account the period of custody of petitioner which is from 13.12.2017, this Court is inclined to grant bail to him.

Let the petitioner above named be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned A.C.J.M.-  
I, Kishanganj in connection with Paharkatta P.S. Case  
No. 93 of 2017 (G.R. No. 1666 of 2017).

**(Ashutosh Kumar, J)**

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