

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55695 of 2018**

Arising Out of PS.Case No. -230 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

=====

1. Md. Akhtar @ Md. Akhtar Ali S/o Md. Mujibul, R/o Vill.- Gajipur, P.S.-  
Desari, District- Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Nand Kishore Pd., A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      12-10-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Desari P.S. Case No. 230  
of 2017 instituted for the offence under Sections 341, 323, 324,  
325, 307 and 302/34 of Indian Penal Code.

Counsel for the petitioner submits that the instant  
case is counter blast of Desari P.S. Case No. 229 of 2017 filed by  
Shakila Khatoon (wife of the petitioner) on 24.09.2017 prior to  
lodging of the instant case by the informant. Counsel for the  
petitioner further submits that both parties are *Gotiyas*. He is in  
custody since 15.05.2018 and has no criminal antecedent.

In the instant case there is general and omnibus  
allegation against all the accused persons that they assaulted father  
of the informant causing injury to him and he died during course



of treatment.

Case diary has been received.

Post mortem report is available in the case diary wherein the Doctor has found one head injury and cause of death has been opined due to head injury caused by hard and blunt substance.

In the written report there is no specific allegation attributed to the petitioner of causing head injury to the father of the informant.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. 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 learned Sub Judge-IIIrd-cum-Additional Chief Judicial Magistrate-II, Vaishali at Hajipur, in connection with Desari P.S. Case No. 230 of 2017, subject to the condition that both the bailors will be close relatives of the petitioner.

S.Ali/-

**(Sanjay Priya, J)**

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