

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68199 of 2018

Arising Out of PS. Case No.-67 Year-2018 Thana- KATIHAR MUFFASIL District- Katihar

Amir Mian @ Md. Ameer, aged about 60 years, Son of late Rafik Mian,
Resident of Village- Makhdampur, P.S. Muffasil, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Miss. Preety Kunwar, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP 244

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 17-12-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Mufasil
P.S. Case No. 67 of 2018 instituted for the offence under
Section(s) 302/201/34 of the Indian Penal Code.

In the written report, it is alleged that this petitioner
with two sons have brutally assaulted the son of the informant
near Makhdampur market who subsequently died and accused
persons threw the dead body near the house of the informant.

Learned counsel for the petitioner submits that the
informant is not an eye-witness of this case. She has given her
further statement before the police which is recorded in para. 5,
wherein, she has stated that she has heard about the occurrence.



Learned APP for the State has referred to paragraph nos. 10 and 11 of the case diary, wherein, the statement of witnesses have been recorded. The witnesses have stated that these petitioners have assaulted the deceased with fist and slap while he had misbehaved with one lady and thereafter they did not know about the further action.

Petitioner is in custody since 27.06.2018 having clean antecedent.

Considering the aforesaid, 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 the learned Judicial Magistrate First Class, Katihar in connection with Mufassil P.S. Case No. 67 of 2018, subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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