

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38908 of 2018

Arising Out of PS.Case No. -57 Year- 2018 Thana -MAKER District- SARAN

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Nasruddin @ Nasruddin Mian son of Nijamuddin Resident of Village - Pir
Maker, P.S. - Maker, District - Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Maker P.S.
Case No. 57 of 2018 for offences punishable under Sections 341,
323, 307, 504, 379, 506/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while she was sitting at the door of the house along with her
children, the petitioner along with two others came and started
abusing. When the informant objected, co-accused Mamun came
along with lathi, danda and kudal and started assaulting the
informant and his two daughters. Specific allegation upon the
petitioner is of hitting the informant's daughter Jugal Khatoon by
means of Kudal on her head.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and there was a case and counter case as altercation took place between both the sides and the petitioner's side has also lodged Maker P.S. Case No. 58 of 2018 regarding the same incident. He submits that the injury caused on the daughter of the informant has been found to be simple in nature caused by hard blunt substance which contradicts the prosecution story as the injury inflicted by the petitioner on the informant's daughter was by means of Kudal. The petitioner is languishing in judicial custody since 06.05.2018, undertakes to cooperate in the investigation and not to tamper with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Additional Chief Judicial Magistrate-XII, Saran at Chapra in connection with Maker P.S. Case No. 57 of 2018, subject to the conditions that:

- (1) One of the bailors would be a close relative of the



petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

- (2) Petitioner will appear before the concerned police station/court as and when required and also not to tamper with the prosecution witness, failing which will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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