

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40704 of 2018

Arising Out of PS. Case No.-484 Year-2017 Thana- DARBHANGA SADAR District-
Darbhanga

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Mohammad Kamrool @ Chand S/o Mohammad Mustkim, R/o Vill.- Belhi,
P.S. Sadar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Md. Nazir Ansari

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

31-08-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in connection with Darbhanga Sadar P.S. Case no. 484 of 2017 registered for the offence punishable under Sections 448, 323, 324, 354(B)(C) 376/511 of the I.P.C. and Section 37(A) of the Bihar Prohibition and Excise Act, 2016.

Petitioner is said to have entered into the house of the informant in inebriated condition and tried to outrage her modesty and on alarm made by her, when her husband sitting on the door rushed in her rescue he assaulted him by means of knife inflicting him injuries. Petitioner earlier used to tease the informant.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has no concern with the aforesaid occurrence. He has been falsely



implicated in this case by the informant due to political rivalry. As per prosecution case, at the time of occurrence, the husband was sitting at the door of the house, so it was not feasible for the petitioner to enter into the house in presence of the husband and it creates serious doubt about the prosecution case. Regarding alleged earlier teasing by the petitioner to informant, no any compliant has been made either by the informant or by her husband at anywhere. The injuries found on the person of the injured are skin deep and simple and superficial in nature. Said injuries were self inflicted to creat evidence against the petitioner. Petitioner happens to be tee-totaller and had never consumed any liquor. He has no criminal antecedent. He has been languishing in custody since 12.12.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-IV-cum-Special Judge, Darbhanga in connection with Darbhanga Sadar P.S. Case no. 484 of 2017.

(Prakash Chandra Jaiswal, J)

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