

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 3205 of 2018

Arising Out of PS.Case No. -111 Year- 2017 Thana -SRI NAGAR District- MADHEPURA

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MD NISARUDDIN @ NISARUDDIN S/o Md Muso @ Md Hasim, R/o
Village- Puraini, Ward No-9, P.S.- Shrinagar, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Shekhar Kumar Singh, Advocate

For the S t a t e : Mr Uday Pratap Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 18-01-2018

Heard counsel for the petitioner and the State.

Petitioner seeks bail in a case registered under
Sections 447, 147, 148, 149, 341, 323, 324, 307 of Indian Penal
Code and Section 27 of Arms Act.

The petitioner, who has clean antecedent, submits
that even if the allegations are taken to be true, the assault are
attributed to other co-accused Muso Mian, Md Mujak, Mustakin
@ Chhutahru and Md Sagir @ Chikna and there is no allegation of
assault upon the petitioner. At best, he is a member of the
unlawful assembly wherein, on the occasion of Muharram, some
scuffle took place. He is in custody in this case since 17.11.2017.

Considering the submissions made on behalf of the
petitioner, prayer for bail is allowed. Let the petitioner above



named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate V, Madhepura in Srinagar Police Station Case No 111 of 2017 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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