

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69606 of 2018

Arising Out of PS. Case No.-338 Year-2018 Thana- MAJHAULIA District- West Champaran

Harun Mian, S/o Mansur Mian, resident of village, Pipra Dubey, P.S.
Manjhaulia, District, West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 06-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in Majhaulia P.S. Case No.338 of 2018 registered for the offence punishable under Sections 341/323/324/307/447/379/504/34 of the Indian Penal Code.

Informant has alleged that while he along with his son was going to see the field, they were intercepted by F.I.R. named accused and were told to compromise pending cases and, thereafter, some altercation took place between the parties. The allegation against Chand Mohammad is of causing injury on the head of informant and his son by sharp cutting weapon and allegation against rest of the accused is of assaulting by fists and slaps.

It has been submitted on behalf of the petitioner that there is no allegation of overt act against the petitioner. There is



case and counter case between the parties arising out of same incident. It has further been submitted that there is land dispute between the parties. Petitioner has no criminal antecedent and he is in custody since 29.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Majhaulia P.S. Case No.338 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that



case, prosecution will be at liberty to move
for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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