

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10053 of 2019

Arising Out of PS. Case No.-311 Year-2018 Thana- MAHUA District- Vaishali

MD. MULTAN, Son of Md. Naim, Village- Sikandarpur, Mangrahi, P.S-
Mahua, Dist.-Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 20-02-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since 27.11.2018
in a case registered for the offences punishable under Sections
341, 323, 504, 504, 354, 379, 307 and 34 of the IPC.

The prosecution case, as per the fardbeyan of Md. Faiyaz
recorded by S.I. Shyam Singh, P.M.C.H., T.O.P. dated
01.10.2018 at 03.15 P.M., is to the effect that on 30.09.2018, the



informant went to attend a marriage ceremony to Muzzafarpur and when he was returning back to his native village, then at about 01.00 A.M., there was road blockage at his village, due to marriage ceremony of daughter of one Md. Mukhtar and son of one Md. Naim. In the meantime, informant requested to clear the road, whereupon the fight between the both sides took place. It is further alleged that the petitioner assaulted on the head of the informant with an iron rod.

It is submitted by learned counsel for the petitioner that in the background of a dispute with regard to blockage of the main road, the occurrence took place. It is further submitted that there is counter version of occurrence being Mahua P.S. Case No.310 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the informant submits that there is specific accusation of assault against the petitioner on the head of the informant with an iron rod.

Considering the genesis of occurrence and there is no accusation of repeating the blow, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of like amount each to the satisfaction of learned **Chief Judicial Magistrate, Vaishali at Hajipur** in connection with **Mahua P.S. Case No. 311 of 2018.**

(Dinesh Kumar Singh, J)

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