

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7479 of 2019

Arising Out of PS. Case No.-195 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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PINTU @ JAHANGIR, aged about 32 years, Male, Son of- Bangali @ Md.
Asmudin, Resident of Mohalla-Ali Nagar, P.S. Aurangabad (T), district
Aurangabad (Bihar) ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

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Appearance :

For the Petitioner : Mr. Birendra Kumar Singh, Adv.
For the Opposite Party : Mr. Nityanand, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-02-2019 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
26.06.2018 in connection with S. Tr. No. 436 of 2018 arising out
of Aurangabad (T) P.S. Case No. 195 of 2018 for the offences
alleged under Sections 326 and 307 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was purchasing wheat-flour from a shop, the
petitioner came and gave knife blow on the back of the
abdomen. The cause of the incident is that 5-6 days back the
petitioner had a fight with the informant's son.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and
the incident occurred at the spur of the moment. He submits
that the injury found on the person of the informant's son has
been opined to be simple in nature and the petitioner undertakes
to cooperate in trial on day-to-day basis.



However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with S. Tr. No. 436 of 2018 arising out of Aurangabad (T) P.S. Case No. 195 of 2018 to the satisfaction of the learned Additional District Judge, III, Aurangabad, subject to the following conditions :

(i) 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.

(ii) Petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Shamshad/-

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