

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10107 of 2019

Arising Out of P.S. Case No.-812 Year-2018 Thana- BETTIAH CITY District- West
Champaran

MD. SONU @ MD. NASIM, 28 years (M), Son of Md. Nezam @
Nejammuddin, Resident of Mohalla - Kalibag, Miskar Toli, P.S. Bettiah Town
(Kalibag O.P.), District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Rina Sinha, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-02-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
21.10.2018 in connection with Bettiah Town (Kalibag O.P.)
P.S.Case No.812 of 2018 for the offence alleged under Sections
341, 323, 324, 307, 387, 379 and 447/34 of the Indian Penal
Code

The prosecution case as lodged by the informant is
that a few months back co-accused Irfan demanded
Rs.2,00000/- as *Rangdari* which the informant did not oblige.
Thereafter, on the date of occurrence, co-accused Irfan along
with three others came to the house of the informant and have
seriously assaulted the informant and his family members who



sustained serious injuries. Co-accused Irfan also fired but did not hit the informant or any of his family members, then ransacked the house and took away cash and gold ornaments.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent, not named in the FIR and his name has surfaced only on the ground that he is the own brother of co-accused Irfan. It has further been submitted that no incriminating article has been recovered from the conscious possession of the petitioner, no overt-act of assault has been alleged against the petitioner and the petitioner was not even present at the place of occurrence. He further submits that chargesheet has already been submitted, there being no allegation of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and that chargesheet has already been submitted, 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 Bettiah Town (Kalibag O.P.) P.S.Case No.812 of 2018 to the satisfaction of learned Chief Judicial Magistrate, West



Champaran, Bettiah, subject to the condition that 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.

(Nilu Agrawal, J)

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