

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12924 of 2019

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

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IMRAN @ MD. IMRAN Son of Md. Samiullah 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

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Shaheen Begum

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
17.09.2018 in a case registered for the offence punishable
under Sections 341, 323, 324, 307, 387, 379, 447/34 of the
Indian Penal Code.

The prosecution case got initiated on the basis of
written report dated 15.09.2018 submitted by Md. Shamsheer to
the Station House Officer, City Town Kalibagh (O.P.) Police
Station, Bettiah is to the effect co-accused Md. Irfan
demanded extortion of Rupees Two Lacs. On protest being
made, he was given life threatening. On 14.09.2018 at 8.00
P.M. during Muharram procession, co-accused Md. Irfan along
with four other accused persons came variously armed and



again demanded extortion, on refusal of the same, co-accused Md. Irfan assaulted on the abdomen of the brother of the informant, Md. Rehan with knife, whereas, petitioner Md. Imran and co-accused, Taj Imam assaulted on the neck of the mother of the informant with knife and handle of hand pump. It is further alleged that co-accused Sahnawaz and Arman assaulted on the thigh and hand of the father of the informant with knife, whereas Md. Irsad assaulted on the hand of the informant with knife. It is further alleged that co-accused Md. Irfan resorted to fire on the head of the informant, but it did not hit anyone. The accused persons also took away cash amount of Rs.28,000/- and jewellery from the house of the informant.

It is submitted by learned counsel for the petitioner that the petitioner alleged to have assaulted the mother of the informant, though she has received two injuries, but out of two injuries one has been found simple in nature, while the opinion with regard to second injury has been kept reserved till the availability of X-ray report. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that there is



specific accusation against the petitioner to have assaulted the mother of the informant.

Considering the fact that the injury has been found simple in nature, coupled with 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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, West Champaran, Bettiah, in connection with Bettiah Town (Kalibag O.P.) P.S. Case No. 812 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

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