

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15471 of 2019

Arising Out of PS. Case No.-34 Year-2018 Thana- AMDABAD District- Katihar

MD. MANIR @ MD. MANIRUDDIN, S/o Md. Rashid, Resident of Village -
Baluwa, P.S. - Amdabad, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 21-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 324, 325, 307,
504/34 and 302 of the Indian Penal Code.

Allegation against the petitioner is that he caused
injury with sword on the head of the deceased.

Submission is that the postmortem report would
reveal that the Doctor has not found any injury on the head of
the deceased nor any injury caused by sword. Hence,
prosecution allegation is not corroborated by medical evidence.

Learned counsel for the informant opposed the prayer
for bail on the ground that co-accused Md. Hakim has been
refused bail, having identical allegation, and trial is already
proceeding and prosecution evidence is likely to be closed in



near future.

The allegation against the petitioner is distinguishable to that of Md. Hakim and petitioner is in custody since 14.03.2018, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 247 of 2018 arising out of Amdabad Police Station Case No. 34 of 2018, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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