

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77332 of 2018

Arising Out of PS. Case No.-398 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

1. Md. Islam
2. Md. Latif, Both S/o Md. Isahak @ Md. Isak,
3. Md. Abid, S/o Late Md. Israil, All Resident of Village - Thumma, P.S. Runnisaidpur, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 147, 149, 307, 379, 504, 341, 323 and 302 of the Indian Penal Code.

There is case and counter case. In the occurrence of assault, specific allegation against petitioner no. 1 Md. Islam is that he caused injury with *Dab* at the head of Salam as a result whereof he died, during course of treatment, after ten days. Petitioner no. 2 Md. Latif caused injury with *farsa* at the head of the informant.

Submission of the learned counsel for the petitioners is that petitioners are in custody since 01.08.2018. The Doctor



has not found any cut injury as alleged against petitioner no. 1 Md. Islam rather injury caused by hard blunt substance.

Learned counsel for the informant submits that the Doctor noticed stitched wound which is possible by a sharp weapon also. Moreover, the injury was in 'C' shape which indicates that the same is consistent with the allegation that the injury was caused with *Dab*.

Considering the nature of allegation against **petitioner no. 1 Md. Islam**, I am not inclined to enlarge him on bail. Hence, his prayer for bail is refused.

Let petitioner no. 2 Md. Latif and petitioner no. 3 Md. Abid, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Runnisaipur Police Station Case No. 398 of 2018, subject to the condition that the petitioner no. 2 and 3 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 no. 2 and 3.

(Birendra Kumar, J)

Kundan/-

U		T	
---	--	---	--

