

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.420 of 2019

Arising Out of PS. Case No.-324 Year-2017 Thana- PALASI District- Araria

1. Md. Sohail @ Md. Sehil s/o Md. Alauddin Resident of Village-Kakorwa, P.S.-Palasi, District-Araria
2. Md. Ayas s/o Late Tamizuddin Resident of Village-Kakorwa, P.S.-Palasi, District-Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh
For the Opposite Party/s : Mr.Sri Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 26-03-2019 Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Sections 341, 323, 325, 354-B, 307, 379, 504/34 of the Indian Penal Code.

Informant in her written complaint has alleged that on 02.12.2017 at about 11:00 pm when her Daughter-in-Law was tying the bundle of paddy crops, Md. Nazam came and started abusing and tore her clothes and when Informant came to save her she was also assaulted by petitioners along with FIR named accused. Md. Mustaque gave iron rod blow upon the head of the husband of the Informant and Md. Sohail inflicted iron rod blow



upon Md. Khurshid.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to land dispute. It has been submitted on behalf of the petitioners that Annexure-2 is the injury report from which it appears that the injury attributable to Md. Sohail (petitioner) are simple in nature. It has been further submitted that co-accused Md. Mustaque who is said to have inflicted iron rod blow upon the husband of the Informant has been granted bail by the court below itself. Petitioners are in custody since, 27.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Palasi P.S. Case No. 324 of 2017(G.R. No. 3732 of 2017)** with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the



court below.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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