

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79290 of 2018

Arising Out of PS. Case No.-460 Year-2018 Thana- BAHADURPUR District- Darbhanga

Md. Ajaz, son of Md. Ainul, resident of Village-Asgaon, P.S.- Bahadurpur,
District- Darbhanga. Petitioner.

Versus

The State of Bihar. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1
For the Opposite Party/s : Mr. Ram Priya Saran Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 18-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Bahadurpur P.S. Case No.458
of 2018 registered under Section 147, 148, 149, 447, 341, 323,
324, 307, 504, 509, 379 & 427 of the Indian Penal Code.

Petitioner is said to have assaulted on the chest of the
informant by means of dagger while other accused persons
assaulted by means of lathi, danda, fists and slaps.

It is submitted by learned counsel for the petitioner that
the no such occurrence as alleged ever took place. The petitioner
has committed no offence and has no concern with the aforesaid
occurrence. He has been falsely implicated in this case by the
informant over a trivial dispute. There is a case and counter case
between the parties. The injury sustained by the informant
though caused by the sharp cutting weapon but simple in nature



and there is no repetition of blow, hence no offence under Section 307 I.P.C. is made out against the petitioner. The petitioner has been languishing in custody since 20.10.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Darbhanga in connection with Bahadurpur P.S. Case No.458 of 2018.

(Prakash Chandra Jaiswal, J)

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