

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35181 of 2019**

Arising Out of PS. Case No.-80 Year-2019 Thana- BAJPATTI District- Sitamarhi

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ZAKIR HUSSAIN @ MD. ZAKIR HUSSAIN S/o Kayum Ansari Resident of
Village- Humayupur, P.S.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 29-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 16.03.2019 in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 504 and 506/34 of the Indian Penal Code.

It is alleged that in the background of quarrel between the daughter of the informant and son of the petitioner, on 15.03.2019 at 5.00 P.M., the petitioner abused and assaulted the informant on her head. It is further alleged that when the husband of the informant came to rescue, the petitioner assaulted on his arm with lathi.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present



case and the injuries of the informant have been found simple while the injuries of the husband of the informant have been found grievous. It is further submitted that there is no accusation of repeating the blow, hence, the petitioner had no intention to kill the informant. 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 the accusation is specific against the petitioner.

Considering the fact that there is no accusation of repeating the blow and the nature of injury being caused 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 16.06.2019, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Pupri at Sitamarhi in connection with Bajpatti P.S. case No.80 of 2019.

(Dinesh Kumar Singh, J)

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