

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38687 of 2019

Arising Out of PS. Case No.-129 Year-2018 Thana- LAURIA District- West Champaran

JOKHU MIAN Son of Paltan Mian, Resident of Village - Telpur, P.S.-
Lauriya, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 341, 342, 323, 307, 447, 504, 506/34 of the Indian Penal Code..

The prosecution case in short is that while the informant at his house, the accused persons had thrown garbage and on protest, he was assaulted by them.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 8.3.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. There is a case and counter case



between the parties. Co-accused namely Jabbar Mian is said to have died in the occurrence. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. There is no allegation of assault alleged against the petitioner. Allegation of assault is against co-accused namely Mumtaz Mian.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -1st, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 129 of 2018.

(Sudhir Singh, J)

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