

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38859 of 2019

Arising Out of PS. Case No.-468 Year-2017 Thana- NATHNAGAR District- Bhagalpur

MD. AMANAT, aged about 38 years, Male, Son of Late Abu Bakar, Resident of Village- Kabirpur, P.S.- Nathnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 24-07-2019 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 06.09.2018 passed in Criminal Miscellaneous No. 37265 of 2018.

Petitioner seeks bail in **Nathnagar (Lalmatia) P.S. Case No. 468 of 2017** registered for the offence punishable under Sections 341, 323, 302, 504, 506/34 of the Indian Penal Code.

Informant in his written complaint has alleged that on account of some altercation between his son and FIR named accused, FIR named accused came to his house and started abusing him and his wife and when they were protesting in the meantime his son Md. Ishtiyak came and petitioner alongwith FIR named accused started assaulting him and when her



daughter started crying loudly Md. Amanat assaulted her with danda on account of which he sustained injury and was taken to the Hospital but she was declared brought dead.

It has been submitted on behalf of the petitioner that there is no allegation against the petitioner and has been falsely implicated in this case. It has been further submitted in para 9 of the petition that the parties are relatives and the matter has been compromised between the parties. It has been further submitted that the charge has been framed and almost all the witnesses except official witnesses have been examined including victim but they have not supported the prosecution case. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Nathnagar (Lalmatia) P.S. Case No. 468 of 2017**, with following conditions:-

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

(2) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioner 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 petitioner.

(S. Kumar, J)

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