

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50377 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- NASRIGANJ District- Rohtas

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IMTEYAZ AHMAD @ NANHEY, aged about 42 years, Gender-Male, Son of Late Sah Mohammad @ Ilahi Khalifa, Resident of Nasriganj, Ward No. 2, P.S.- Nasriganj, District - Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Bhaskar Shankar, Advocate.

For the Opposite Party : Mr.Dinesh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-08-2019 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner is languishing in custody since 20.04.2019 in a case for the offence registered under Sections 147, 149, 323, 337, 307, 302 and 504 of the IPC.

The prosecution story, in brief, is that on 20.04.2019 at 8.30 A.M. while the informant alongwith his father was in his shop and engaged in cleaning the shop, at the same time, one customer came and talking to his father, in the meanwhile, his neighbour shop owner Md. Akhlak Ahmad had made an attempt to bring the said customer to his shop which was being objected by the father of the informant then he started abusing him. In the meantime, his brother Imteyaz Ahmad (petitioner) @ Nanhe and



his son Ajaj Ahmad arrived there and started abusing his father. On objection, Imteyaz Ahmad (petitioner) dragged him from the shop and started assaulting him. The informant went at the place of occurrence to save his father. It is further alleged that on instigation of Imteyaz Ahmad, Akhlak Ahmad took out two to three rods from his shop and with an intention to kill him gave blow on the head. At the time of lifting his father, Imteyaz Ahmad gave a blow on the head of the informant by means of Iron rod. On alarm, his brother Sahanwaz Alam arrived who was also being assaulted by Ajaj Ahmad on his head. Wives of Akhlak Ahmad and Imteyaz Ahmad and 4-5 unknown persons started throwing bricks from the roof. The father of the informant was brought at Bose Clinic at Dehri-on-Sone, where he was declared dead.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Co-accused Akhlak Ahmad is alleged to have assaulted the deceased with Iron rod on his head. The deceased is succumbed to the injuries. As far as the petitioner is concerned, he is said to have assaulted the informant with Iron



rod on his head. Nature of injury of the informant is said to be simple.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let 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 the learned A.C.J.M. -II, Bikramganj, Rohtas, in connection with Nasriganj P.S. Case No. 87 of 2019.

(Sudhir Singh, J)

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