

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50871 of 2019

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

AKHLAKH AHMAD @ AKHLAK AHMAD Son of Late Shah Mohammad
@ Ilahi Khalifa Resident of Village - Nasriganj, Ward No. 2, P.S.- Nasriganj,
District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner seeks bail in a case instituted for the
offences under Sections 302, 307, 323, 337, 504, 147, 149 of the
Indian Penal Code.

The prosecution case in short is that the accused persons
came to the shop of the informant and assaulted his father due to
which he sustained injuries and later died in course of treatment.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 20.4.2019 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. As per the allegation, the petitioner is said to have given a
single iron blow upon the head of the deceased. There is no repetition



of blow made by the petitioner. At best, it is case for offence under section 307 IPC. There is case and counter case between the parties. Both the parties are agnates. A free fight is alleged to have taken place. There is no premeditation of mind for committing murder of the deceased nor there was any intention to commit the murder of the deceased. It is further submitted that the petitioner may be released after completion of one year in custody.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R. There is specific allegation of assault alleged against the petitioner.

Considering the aforesaid facts and circumstances, **on completion of one year in custody**, 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. -II, Bikramganj, Rohtas in connection with Nasriganj P.S. Case No. 87/2019.

(Sudhir Singh, J)

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