

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54402 of 2019

Arising Out of PS. Case No.-140 Year-2019 Thana- GOVINDGANJ District- East
Champaran

=====

RAIFUL MIAN S/o Late Abdul Mian Resident of Village- Belhi, P.S.-Malahi,
District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sangeet Deokuliar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Govindganj (Malahi) P.S. Case no. 140 of 2019, registered
under Sections 147, 341, 302 and 504/34 of the Indian Penal
Code.

The accusation is that on 14.05.2019 at about 11.00
P.M. Rahim Mian, father of the informant Akbar Ali, was at his
door at that time, Sakeena Khatoon, Shabnam Khatoon and
Shabana Khatoon came at his door and started to abuse, when
Rahim Mian, father of the informant, made protest then
Shabnam complaint that his son has assaulted her son in the
school then father of the informant replied that he will
convinced his child, but all caught hold to Rahim Mian, father



of the informant, at that time, Taslim Mian came and on the order of petitioner, Taslim assaulted his father Rahim Mian through iron rod on his head and neck and Raiful assaulted him with lathi on wrist, chest, stomach and pelvis area due to which Rahim Mian, father of the informant, became unconscious and he was taken to Areraj hospital from where he was referred to Motihari, but he died in the way.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that specific allegation of assault is against Taslim, son of the petitioner and only allegation is to cause injury to the deceased at his left wrist and chest through lathi is against petitioner. Further submission is that it would appear from the Post Mortem Report that fracture on left parietal bone and large parietal and the said injury is said to be caused by Taslim, son of the petitioner, but with ulterior motive, petitioner being the father of Taslim has falsely been implicated in this case.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like



amount each to the satisfaction of the A.C.J.M-I, Motihari, East
Champaran in connection with Govindganj (Malahi) P.S. Case
No. 140 of 2019, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

