

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57209 of 2019

Arising Out of PS. Case No.-381 Year-2018 Thana- MAJHAULIA District- West Champaran

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MOHABBAT BARHAI @ MD. SHAKIL, Son of Saukhi Barhai, Resident of
Village- Bathna, P.S.- Bathna Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 04-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of
Majhauriya P.S. Case No. 381 of 2018, disclosing the offences
under Sections 147, 148, 149, 341, 323, 324, 307, 302 and
504/34 of the Indian Penal Code.

On perusal of the First Information Report, it can be
easily noticed that there is no specific allegation against the
petitioner for having made assault, though, it is alleged that the
petitioner was also there with other persons named in the First
Information Report, who had caused assault on the informant's
husband leading to his death.

Learned counsel for the Additional Public Prosecutor



has not been able to point out from the case diary, any incriminating article collected against the petitioner justifying his implication. On the other hand, paragraph-22 of the case diary indicative suggests that the petitioner was not involved in commission of the offence.

Considering the above facts and the submission made on behalf of the petitioner that four co-accused persons have been allowed anticipatory bail and one of them regular bail by this Court, this application is allowed. 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 **learned Chief Judicial Magistrate, West Champaran at Bettiah**, in connection with **Majhauriya P.S. Case No. 381 of 2018**, subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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