

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57356 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- PURUSHOTTAMPUR District- West
Champaran

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HASANTAJ @ SK. HASANTAJ @ SK. HASAMJAD @ MUSTAN, aged
about 50 years, Male, S/o Sk. Manawar R/o Village- Bhewdihari, P.S.-
Purshottampur, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Bimlesh Kumar Pandey, Advocate.
For the Opposite Party : Mrs.Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 341, 323, 324, 307 and 354/34 of the
IPC.

The prosecution story, in brief, is that on 28.05.2019
at about 6.30A.M. Manish assaulted the son of the informant in
school, anyhow, matter was pacified. After closing of the school,
when her son was coming to his house then Manish caught him
and assaulted with fists, when her elder son asked about the
reason of assault, Hasantaj (petitioner) ordered to kill her son.
Accused persons assaulted both of them, Tunna attacked with
'Axe' on the head of her elder son due to which, he sustained



injury. When the informant reached there to rescue her son then Saheb Mian caught her hair, dragged her on the ground and started assaulting her with leg. All the accused persons assaulted and abused the informant and threatened to kill her if she went to the police.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 30.05.2019. 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. The petitioner has falsely been implicated in the present case. The petitioner is alleged to be an order giver. No injury is alleged against this petitioner. Allegation of assault is against co-accused Tunna. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out.

On behalf of the State, it is 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 J.M. Ist Class, Bettiah, West Champaran, in connection with



Purushottampur P.S. Case No. 41/2019.

(Sudhir Singh, J)

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