

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79997 of 2018

Arising Out of PS. Case No.-528 Year-2018 Thana- KUDHNI District- Muzaffarpur

Md. Hasan s/o Ali Haque Sain R/v Bara Sumera Murgia Chak Tola, P.S.
Kurhani, Distt. Muzaffarpur Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., A.P.P.
For the Opposite Party/s : Mr.Sri Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 18-01-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in connection with Kudhani
(Turki O.P.) P.S. Case No. 528 of 2018 registered under Sections
341, 323, 307 and 504/34 of the Indian Penal Code and Section
27 of the Arms Act.

Four accused persons including the petitioner are said
to have slapped the informant, his mother and his sister over
damaging the kharanja laid on the road infront of his house.
Petitioner is said to have assaulted on the temple of his sister
namely, Shabnam Khatoon by means of hockey stick while Md.
Jubair assaulted on the temple of the informant by means of
country made pistol.

It is submitted by the learned counsel for the
petitioner that petitioner is quite innocent and has been falsely



implicated in this case due to dirty village politics. From perusal of the prescription of Shabnam Khatoon, produced by the informant, it appears that though she was administered Tatvac injection and was also prescribed some medicine, but nature of injury and weapon used in assault are not found figured in it. He has no criminal antecedent. He has been languishing in custody since 25.10.2018.

On the other hand learned APP and learned counsel for the informant have submitted that other accused persons along with petitioner assaulted the informant and his sister by means of pistol and hockey stick respectively with common intention. Shabnam Khatoon was treated in Sri Krishna Medical College and Hospital, Muzaffarpur. Hence, the petitioner does not deserve bail.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-3rd (west), Muzaffarpur in connection with Kudhani P.S. Case No. 528 of 2018.

(Prakash Chandra Jaiswal, J)

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