

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59164 of 2019

Arising Out of PS. Case No.-125 Year-2019 Thana- NAUTAN District- West Champaran

MUSTUFA ANSARI Son of Rafique Mian Resident of Village - Khadda
Mushahi, P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Bharat Bhushan(App156)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-12-2019 Heard learned counsel for the petitioner, O.P. No. 2
and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 147, 148, 149, 341, 109, 323, 307, 302 of the Indian Penal Code.

The prosecution case in brief is that the accused persons assaulted one Mohd Aslam by iron rod as a result of which, he sustained injuries and took his last breath.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 01-04-2019. Charge sheet has already been submitted. As per the FIR, two persons including the petitioner are said to have assaulted the deceased. From perusal of the postmortem report, only one



external injury was found on the head of the deceased. The allegation made in the FIR is not corroborated by the postmortem report.

On behalf of the State and O.P. No. 2 , it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above is directed to 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, Bettiah, West Champaran in connection with Nautan P.S. Case No. 125 of 2019.

(Sudhir Singh, J)

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