

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.66504 of 2019

Arising Out of PS. Case No.-125 Year-2019 Thana- KOCHADHAMAN District- Kishanganj

1. Mahmud Alam Son of Late Asabuddin Resident of Village-Gadgaon, Police Station-Kochadhaman, District-Kishanganj.
2. Haidar Alam Son of Late Asabuddin Resident of Village-Gadgaon, Police Station-Kochadhaman, District-Kishanganj.
3. Matiur Rahman Son of Late Jabbar Baksh Resident of Village-Gadgaon, Police Station-Kochadhaman, District-Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar
For the Opposite Party/s : Mr.Rana Randhir Singh
For the Informant : Md. Rashid Alam

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 04-12-2019 Heard learned counsel appearing for the petitioners
as well as learned Additional Public Prosecutor for the State.

Petitioners seek bail in a case registered for the
offence punishable under Sections 147, 148, 149, 323, 324,
325, 307, 302 and 341 of the Indian Penal Code.

The specific allegation against petitioner No. 1 is
that he pierced sword into the chest of injured Eqwal and
petitioner No. 2 gave Farsa blow to injured Eqwal, so far as
petitioner No. 3 is concerned, it is stated that petitioner No. 2



and petitioner No. 3 assaulted injured Md. Mustaque by Farsa and sword. The injury report of injured Md. Mustaque goes to show that he sustained altogether three injuries, out of which one injury i.e. , injury No. 2 is on temporal injury of head, whereas remaining two injuries are on wrist joint as well as on mandible region. The injury found on wrist of injured Md. Mustaque is said to be grievous whereas remaining two injuries are simple in nature. So far as injured Md. Eqwal is concerned, he sustained three injuries out of them two injuries are said to be sharp cut injury and one injury is said to be stab injury. The injury No. 1, i.e., stab injury is said to be grievous whereas remaining two injuries are simple in nature.

The first information report goes to show that it was petitioner No. 1, who pierced sword into chest of injured Md. Eqwal, therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, the prayer for bail of petitioner No. 1, namely, Muhmud Alam stands rejected, whereas petitioner No. 2, namely, Haidar Alam and petitioner No. 3, namely, Matiur Rahman are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Kishanganj in connection with Kochadhaman P.S. Case No.
125/2019.

(Hemant Kumar Srivastava, J)

Spd/-

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