

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 70369 of 2019

Arising Out of PS. Case No.-83 Year-2019 Thana- SINDHWARA District- Darbhanga

1. NOOR ALAM SAH Son of Nathuni Shah Resident of Mohalla/Village - Baheri, P.S.- Singhwara, District- Darbhanga
2. Md Chand @ Md Chand Sah Son of Md Sadre Alam Resident of Mohalla/ Village - Baheri, P.S.- Singhwara, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s :	Mr.Kedar Jha
For the Opposite Party/s :	Mr.Ansarul Haque

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners seek bail in a case registered under Sections 302/34 of Indian Penal Code.

It is submitted by petitioners' counsel that even as per allegations made in the first information report, no specific role has been attributed to the petitioners. The assault by knife is attributed co co-accused Md Perwez and some allegation has been levelled against co-accused Devendra Yadav. At best, petitioners, even if the allegations are taken to be true, were members of the unlawful assembly. It is further submitted that the petitioners have no criminal antecedent and no connection with the occurrence but has been implicated due to dirty village



politics. It is also submitted that the petitioners are in custody since 21.06.2019.

Learned APP for the State has opposed the prayer.

Considering the rival submissions, this Court is inclined to accept the submission of the petitioner's counsel.

Let the petitioners above named be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate V, Darbhanga in Singhwara Police Station Case No 83 of 2019 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

