

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79571 of 2019

Arising Out of PS. Case No.-311 Year-2019 Thana- RAJAOLI District- Nawada

MD. NASEEM @ BALO @ BALO MIYAN @ MD. NASIM BANO S/o Md.
Salim @ Mohammad Salim Resident of Mahsai, P.S.- Rajauli, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

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

The petitioner has prayed for bail in connection with Rajauli P.S. Case No. 311 of 2019 registered for the offence punishable under sections 341, 323, 308 and 34 of the Indian Penal Code and section 37(b)(c) of Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, the petitioner and other accused persons are said to have abused and assaulted the informant over a small altercation at Sanjay Betel shop and, thereafter, it is further stated that petitioner and others went to the house of the informant and beat him.

It is submitted by learned counsel for the petitioner that narration of the incident written in the FIR is false and



concocted. There is case and counter case between the parties and even the petitioner sustained injuries, which would be evident from perusal of the FIR and the injury report brought on record as Annexures 3 and 4 to the application. The petitioner is in custody since 30.08.2019, charge-sheet has been submitted in the case and petitioner has no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District & Session Judge-cum-Special Judge, Nawada in connection with Rajauli P.S. Case No. 311 of 2019.

(Partha Sarthy, J)

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