

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4114 of 2020

Arising Out of PS. Case No.-178 Year-2019 Thana- PIPRA District- Supaul

Md. Jamal @ Jamal, Son of Md. Majloom, Resident of Village - Rampur,
P.S.- Pipra, Dist.- Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amar Nath Yadav

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2020 Heard learned counsel for the parties.

The petitioner seeks bail in connection with Pipra P.S.
Case No.178 of 2019 registered for the offence under Sections
147, 148, 149, 341,323, 324, 307, 379 and 504 of the Indian
Penal Code.

The prosecution case is that when Mairun Khatoon,
sister-in-law of the informant was doing paddy transplantation
work in her field, all nine accused persons named in the F.I.R.,
including the petitioner, came at the place of occurrence
variously with armed with weapons and started assaulting her
and when Md. Basir, Md. Rashid, Md. Wakil and Abul Kalam
rushed to save Mairun Khatoon, they were also assaulted with
sword and, thereafter, snatched ear-ring and chain from the neck
of Mairun Khatoon.



It is submitted on behalf of the petitioner that due to land dispute mar-pit had taken place, in which petitioner's side also sustained injury, regarding which Pipra P.S. Case No. 180 of 2019 was instituted under Sections 147, 148, 149, 341,323, 324,354, 504/34 of the Indian Penal Code against the informant side. It is also submitted that on perusal of the injury reports (Annexure-2 series) it is evident that injuries are simple in nature. It is further submitted that three other similarly situated co-accused persons have already been granted anticipatory bail vide order dated 12.12.2019 passed in Cr.Misc.No.82329 of 2019 (Annexure-3). The petitioner is in custody since 26.10.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances and the fact that three other similarly situated accused persons have been granted anticipatory bail, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.VI, Supaul in connection with Pipra P.S. Case No.178 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

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