

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13127 of 2020**

Arising Out of PS. Case No.-211 Year-2019 Thana- MUFFASIL District- Aurangabad

MD. MURTUJ Son of Mohammad Jamil @ Md. Jamil Mian, Resident of
Vill.- Nehuta, P.S.-Aurangabad Muffasil, District-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 03-03-2020 Heard both sides.

Petitioner seeks bail in Aurangabad Muffasil P.S. Case
No.211 of 2019 registered under Sections 147, 148, 149, 323,
302, 506 and 307 of the IPC.

The informant named altogether 11 persons including
the petitioner and alleged that all the accused persons having
armed with stick, iron rod, lathi came and on the order of Md.
Haider, Md. Kalim and Md. Yushuf, Md. Babli indiscriminately
assaulted Md. Alamgir (brother of the informant) with iron rod.
Md. Alamgir got injuries on his head, shoulder and other parts
of his body. Having received injuries, Md. Alamgir fell down on
the ground. In the meantime, Md. Iliyas also came there and
assaulted the informant with lathi on his head and the informant
also sustained grievous injury.



Learned counsel for the petitioner submits that Md. Alamgir died during course of treatment. There is specific allegation of assault against Md. Babli, who is said to have assaulted Md. Alamgir with iron rod on his head. No other person is alleged to have assaulted the deceased, Md. Alamgir. Md. Iliyas is alleged to have assaulted the informant. The informant did not make any allegation against the petitioner.

Having considered the facts that the petitioner is of course named in the F.I.R. but the informant, who is an eye witness, did not make any sort of allegation against the petitioner and the fact that Md. Babli is the assailant of Md. Alamgir and Md. Iliyas is the assailant of the informant, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Aurangabad Muffasil P.S. Case No.211 of 2019.

(Prabhat Kumar Jha, J)

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