

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16159 of 2020**

Arising Out of PS. Case No.-274 Year-2019 Thana- KOCHADHAMAN District- Kishanganj

Ali Hussain Son of Tamijuddin Resident of Village - Chhagalia Belwa, P.S.
and District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ram Prawesh Kumar,Advocate
For the State	:	Mr.Md. Mushtaque Alam,APP
For the Informant	:	Mr. Mahtab Alam, Advocate

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

2. 24-07-2020 Heard learned counsel for the petitioner, learned A.P.P. for the State as well as learned counsel for the informant through video conferencing.

The petitioner apprehends his arrest in Kochadhaman P.S. Case No. 274 of 2019 registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

The prosecution case, in brief, is that on 04-11-2019 at about 12 O'clock, when the informant was at his home with his friends, in the meantime, informant's first wife namely Tabassum Ara Begam, who is living separately, came with her son and other relatives and started assaulting and abusing informant. It is further alleged that on the order of Tabassum Ara Begam, her son gave knife blow on stomach and chest of informant. Allegation against petitioner is that he also ordered to kill the informant.



It is submitted on behalf of petitioner that petitioner is innocent and has falsely been implicated due to family dispute. There is general and omnibus allegation and no specific allegation has been made against petitioner. It is further submitted that since petitioner is *sarhu* of informant, through his first wife, he has also been implicated in this case, whereas, petitioner has got no concern with the family member and he has not played any role in the alleged occurrence. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail application is allowed.

In the event of arrest or surrender within a period of eight weeks from the date of receipt/production of copy of this order, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) 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. 274 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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