

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No. 22328 of 2020

Arising Out of P.S. Case No.-79 Year-2018 Thana-AMDABAD District-Katihar

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Sk. Rahul, S/O Firajul, R/O – Paharpur, P.S. – Amdabad, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

02 25-08-2020

Heard Mr. Sanjeev Kumar Singh, learned Advocate for the petitioner and Mr. Md. Aslam Ansari, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Amdabad P.S. Case No. 79 of 2018 dated 24.05.2018 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 325, 307, 504, 379 and 506 of the Indian Penal Code.

It has been alleged in the FIR that while a house was being constructed over a disputed plot of land, parties fought amongst themselves. Four persons are specifically stated to have assaulted the members of the prosecution party. There is a general and omnibus allegation against the petitioner and others of having assaulted the members of the prosecution party. There is a counter version of the occurrence as well.



In this case, the police after investigation submitted charge sheet under bailable Sections of the IPC but differing with that report cognizance has been taken under Section 307 of the IPC also.

Regard being had to the nature of accusation against the petitioner, the background facts, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of this order on his furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Amdabad P.S. Case No. 79 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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