

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29935 of 2020

Arising Out of PS. Case No.-123 Year-2019 Thana- BALIA BELON District- Katihar

Md. Jalil Son of Md. Mohsin Alam Resident of Village - Baniya Toli, P.S.-
Balial Belon, District - Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Shahnawaj Alam Son of Mohib Alam Resident of Village - Baniya Toli,
P.S.- Balial Belon, District - Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Prasad Singh, Adv.
For the Opposite Party/s	:	Mr. Shantanu Kumar, APP
For the informant	:	Mr. Rajendra Sah, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The instant application for regular bail has been filed by the petitioner in connection with Balial Belon P.S. Case no.123 of 2019 registered under sections 307, 323, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated that the petitioner and one Md. Naushad came and abused the informant, assaulted him and thereafter the petitioner gave blow with a sword on the head of the informant.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the F.I.R. are false and



concocted. The petitioner has been falsely implicated in the case because of land dispute between the parties. No independent witness has supported the allegations. It is submitted that the petitioner is in custody since 29.4.2020, he has no criminal antecedent and investigation in the case has concluded.

The application for bail is opposed by learned APP for the State and the informant. It is submitted by learned counsel for the informant that the differences between the parties have been settled outside Court.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner being in custody since 29.4.2020 and the investigation in the case having concluded, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Balia Belon P.S. Case no.123 of 2019 on his furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar.

(Partha Sarthy, J)

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