

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31735 of 2020

Arising Out of PS. Case No.-34 Year-2020 Thana- BHEJA District- Madhubani

Md. Zafar Ali @ Zafar Ali, S/o Late Mahiuddin, Resident of Village-Parsauni,
P.S.-Bheja, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Advocate.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-12-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the stamp reporter, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner is accused in connection with Bheja P.S. Case No. 34 of 2020, registered under Sections 341, 323, 324, 307, 379, 427, 448 and 504/34 of the Indian Penal Code.

The accusation is that in the month of *Ramjan*, informant, Abdul Ajiz, opened the fruit shop at his door. In the



evening of 22.05.2020, while informant was closing his shop then at that time, Md. Naim, Akbar Ali and Md. Mehtab came there and purchased the fruits of Rs.750/-. When the informant made demand of price of the fruits then Md. Naim asked how he dare to demand the price of fruits and started quarrel with him. In the meantime, Rahmatulla, Ms. Jafar Ali (petitioner), Md. Jasim, Mamul Khtoon and Md. Motiur Rahman came there having lathi, Farsa, iron rod and knife and threw the fruits on the road and entered in his house and started to damaged his household articles. At that time, they also took laptop, cash of Rs.1,80,000/- and ornaments worth of Rs.1,00,000/- from his Almirah. When his elder brother, Md. Mustafa, came there to save him then he was assaulted through knife. Thereafter, his wife, Wasima Khatoon and sister-in-law, Mariyam Khatoon were also assaulted through lathi by them.

Learned counsel for the petitioner submits that while petitioner is named in the FIR but no specific overt act has been attributed against him. It is further submitted that petitioner has no criminal antecedent and is in custody since 03.06.2020.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-III, Jhanjharpur, Madhubani, in connection with Bheja P.S. Case No. 34 of 2020. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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