

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32520 of 2020

Arising Out of PS. Case No.-82 Year-2020 Thana- FULKAHA District- Araria

MD. KASHIM @ KASIM MIYA Son of Md. Panchu Resident of Village -
Fulkaha, P.S. - Fulkaha, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Navin Kr. Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 147, 149, 323, 341, 324, 307, 506,
504/34 of the Indian Penal Code and Sections 3, 4 of Witch
Craft Act.

Prosecution case, in short, is that the accused persons



assaulted the husband and son of the informant by means of lathi, farsa, iron rod and hammer, due to which they sustained injuries.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.08.2020 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case due to previous enmity. The nature of injury is said to be simple. Hence no offence under Section 307 of I.P.C. is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st class, Araria in connection with Fulkaha P.S. case No.82 of 2020.

(Sudhir Singh, J)

Narendra/-

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