

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73088 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- BAHERA District- Darbhanga

MD. IRSHAD @ GUDDU Son of Abdul Quadir Resident of Village -
Badarbanna, P.S.- Bahera, Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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

ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Bahera
P.S. Case No.66 of 2019 (G.R. No.81 of 2019) registered under
Sections 447, 341, 323, 324, 325 and 307/34 of the Indian Penal
Code.

The accusation is that in the night of 28.01.2019, the
informant Badrul Hasan was sleeping in the Machan, situated
near his Dalan, covering his face. In the meantime, all of
sudden, he felt about receiving injury, then he unfolded the
blanket from his face and saw his own brother Abdul Quadir,
nephew Md. Irshad alias Guddu (petitioner) and the son-in-law
of Abdul Quadir, namely, Md. Gulam Sarver indulged in



causing assault to him through lathi, danda and rod. In spite of much requests made by the informant not to cause assault him, they took him near the pond, where Abdul Quadir caused injury through 'creach' at the head of the informant and this petitioner gave the dagger blow at his right leg and, thereafter, Abdul Quadir caused injury through 'creach' at the left leg of the informant.

Learned counsel appearing on behalf of the petitioner submits that while, on investigation, the police has already submitted the charge-sheet against the petitioner but it would appear from the case diary, which is up-to paragraph-76, that while the informant was admitted for treatment at the hospital but there is no description of the injury of the informant in the case diary, as alleged to be caused to the informant by this petitioner and others. In fact, the petitioner is the nephew of the informant and due to family dispute, the petitioner and others have falsely been implicated in this case. The petitioner is in custody since 27.08.2019.

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 Additional Chief Judicial Magistrate, Benipur,
District-Darbhanga, in connection with Bahera P.S. Case No.66
of 2019.

(Rajendra Kumar Mishra, J)

P.S./-

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