

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77788 of 2019**

Arising Out of PS. Case No.-713 Year-2017 Thana- FORBESGANJ District- Araria

Mir Shamim @ Md. Shamim, aged about 50 years, Male, Son of Md. Rasool,  
Resident of Village Jhirua West, Ward No. 12, P.S. Simraha (Forbisganj),  
District Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

|                    |   |                                                                                               |
|--------------------|---|-----------------------------------------------------------------------------------------------|
| For the Petitioner | : | Mr. N.K. Agrawal, Senior Advocate<br>Mr. Vijay Anand, Advocate<br>Ms. Preety Kunwar, Advocate |
| For the State      | : | Mr. Nagendra Prasad, APP                                                                      |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      17-03-2020                      Heard both sides.

The petitioner seeks bail in Forbesganj (Simraha) P.S.  
Case No.713 of 2017, registered under Sections 448, 341, 323,  
324, 307, 379, 504 and 34 of the Indian Penal Code.

The informant alleged that the petitioner Mir Shamim  
@ Md. Shamim assaulted the informant with with *farsa* on his  
head. When the younger brother of the informant came to rescue  
the informant, the accused persons also assaulted him.

Learned counsel for the petitioner submits that the  
police after investigation submitted chargesheet under Sections  
448, 323 and other minor sections of the Indian Penal Code. The  
injury found on the head of the informant is simple in nature but



the learned Judicial Magistrate took cognizance under Section 307 of the Indian Penal Code. The petitioner is in custody since 03.09.2019. The petitioner has already remained in jail for more than six months.

Taking into consideration the facts that on account of assault made by the petitioner with *farsa* on the head of the informant, simple injury was caused to the informant and for that the petitioner is in jail for more than six months, petitioner, namely, Mir Shamim @ Md. Shamim is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Vth, Araria in connection with Forbesganj (Simraha) P.S. Case No.713 of 2017.

**(Prabhat Kumar Jha, J)**

S.KUMAR/-

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