

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23215 of 2021

Arising Out of PS. Case No.-173 Year-2020 Thana- ROSHANGANJ District- Gaya

MD. TABISH KHAN SON OF KHURSHID ALAM R/O MOHALLA-
BAHUARCHAURA, NEAR RAM SAPAR TALAB, P.S.- CIVIL LINES,
DISTRICT- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Ranjay Kumar Singh
For the Opposite Party/s : Mr. APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 25-11-2021 Heard learned senior counsel for the petitioner and
learned counsel for the State.

Petitioner seeks bail in connection Raushanganj P.S. Case
no. 173 of 2020 registered for the offence punishable under sections
393, 324 and 307/34 of the Indian Penal Code.

Learned senior counsel for the petitioner submits that
petitioner is in jail custody since 20.11.2020 and is person with clean
antecedent and charge sheet has been submitted in this case and this
is his first offence. Learned senior counsel for the petitioner further
submits that from perusal of the allegation as alleged in the FIR, it
would manifest that the informant alleges with respect to this
petitioner that he was friend of one Md. Yusuf who was
accompanying the informant and the petitioner tried to snatch money
from the informant but on protest by the informant, this petitioner



stabbed him on his neck with a view to kill him. He next submits that from perusal of the allegation as alleged in the FIR, it would manifest that the main intention of the petitioner was to snatch or loot money from the informant but since the informant and others protested and in order to evade arrest, petitioner committed the occurrence. Blow was not repeated.

Learned APP submitted that though blow was not repeated but injury is said to be grievous.

Considering the facts that petitioner is in jail custody since 20.11.2020 and charge sheet has been submitted and is person with clean antecedent, the petitioner is directed to 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 the learned Judicial Magistrate Ist Class, Gaya in Raushanganj P.S. Case no. 173 of 2020 with condition that one of the bailers would be his father and in the event, trial commences petitioner fails to appear on two consecutive dates, the learned court below shall proceed to cancel his bail bond.

(Satyavrat Verma, J)

s.hassan/-

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