

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22059 of 2021

Arising Out of PS. Case No.-102 Year-2018 Thana- PIPRA District- Supaul

Kuddus Miyan @ Md. Kudush Son Of Abbas Miyan R/O Village- Itaba
Jogbani, Ward No.4, P.S.- Gamahariya, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rashmi Jha

For the Opposite Party/s : Mr. RajKumar Prasad,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Pipra P.S. Case No. 102 of 2018, registered for the offence under Section 307 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the petitioner is alleged to have assaulted Master Mahendra Uraon with iron rod causing injury to him.

It is submitted on behalf of petitioner that as per injury report, though the injury caused to Mahendra Uraon by petitioner is grievous in nature, but it is not on the vital part of the body. It is further submitted that all the injured persons during course of investigation have levelled general and omnibus allegation against all accused persons and no specific overt act has been alleged, as in the written report. Petitioner



bears no criminal antecedent and is in custody since 19.12.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the period of custody and clean antecedent of the petitioner, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 6th Supaul in connection with Pipra P.S. Case No. 102 of 2018, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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