

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32343 of 2020

Arising Out of PS. Case No.-289 Year-2020 Thana- ARARIA District- Araria

1. MD. NAUSHAD Son of Md. Kalam Resident of Village-Jagir Basti, Ward No.18, P.S-Araria, District-Araria.
2. Chamru Naushad @ Md. Naushad S/o Md. Mumtaz Resident of Village-Sisauna, Ward No.01, P.S.-Araria, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Rabish
Mr. Sanjay Kumar Sharma
For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 08-01-2021 Heard both sides.

The petitioners seek bail in Araria P.S. case No. 289/2020 registered u/s 341, 323, 324, 307, 506, 504 of the IPC.

The informant is mother of the injured. The informant disclosed that Md. Nuashad, petitioner No.1, Son of Churiwala, Chamru Nausahd, petitioner No.2, Md. Laddan and Md. Sonu took her son behind her house and assaulted her with knives.

The learned counsel for the petitioners submits that informant is not an eye witness of the occurrence. Two sharp cut injuries were found on the person of injured and all the four persons are alleged to have inflicted knives blow on the body of injured. The petitioners are in custody since 14.05.2020.

The learned APP, however, opposed the prayer for bail.

It appears that mother of the injured made omnibus and general allegation against all the four accused persons that



they took her son behind her house and inflicted knives blow but from perusal of statement of injured Badal Mallick recorded in paragraph 25 of case diary it appears that the injured made specific allegation that Md. Sonu and Md. Laddan put him down on the ground and Md. Naushad, petitioner No.1, and Chamru Naushad, petitioner No.2, inflicted knives blow on his abdomen, neck and cheek. The doctor found two incise wounds one on neck and another in abdomen. The opinion with regard to nature of injuries is kept reserved.

Taking into consideration the facts that there is no repetition of blow, two persons inflicted two knives injuries on the neck and abdomen and for that the petitioners have remained in jail for about eight months, the petitioners, above named, are directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Araria in connection with Araria P.S. case No. 289/2020.

(Prabhat Kumar Jha, J)

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