

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34611 of 2020

Arising Out of PS. Case No.-119 Year-2020 Thana- KATIHAR MUFFASIL District- Katihar

JALAL ROY Son of Late Bakraili R/O- Haflaganj, P.S.- Katihar Muffasil,
Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjit Kumar Singh, Advocate Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. A.G.
For the Informant	:	Mr. Suresh Prasad Sah, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 17-02-2021 Heard Mr. Ranjit Kumar Singh, learned counsel for the petitioner, Mr. Suresh Prasad Sah for the informant and the learned APP for the State.

The petitioner seeks bail in connection with Muffasil P.S. Case No. 119 of 2020 dated 12.05.2020 instituted for the offences under Sections 147, 148, 341, 323, 307, 302 and 324 of the Indian Penal Code.

One Md. Ajmer fell down from the motorcycle on which the daughter of the informant started laughing. She was assaulted by aforesaid Ajmer. On intervention by the informant and his wife, they too were assaulted. Thereafter the accused persons are alleged to have entered the house of the informant. One Nasib Rai is said to have assaulted the mother-in-law of the



informant by means of a sharp cutting weapon which hit in her leg and that injury proved fatal.

Learned counsel for the petitioner has submitted that though he has been named in the FIR but there is no specific accusation against him of having assaulted the deceased.

As opposed to the aforesaid contention, the learned counsel for the informant has submitted that all the accused persons including the petitioner, after forming an unlawful assembly, entered the house of the informant and assaulted the inmates of the house. It is quite fortuitous that the assault perpetrated by one Nasib Rai proved to be fatal.

The petitioner is stated to be in custody since 13.05.2020.

Regard being had to the fact that the petitioner is not the assailant of the deceased and the period of his custody, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Muffasil P.S. Case No. 119 of 2020.

(Ashutosh Kumar, J)

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