

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37113 of 2020

Arising Out of PS. Case No.-264 Year-2018 Thana- RAJAON District- Banka

MD HASIM Son of Late Nazirul Hassan @ Late Nazrul Hassan R/o Village-
Harna Bujurg, P.S.- Rajoun, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-02-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the Office, within a period

of four weeks.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 147, 148, 149, 341, 323, 307 and 504
of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the accused
person, variously armed, came to the house of the informant and
started abusing him and when informant protested, he was
assaulted by them.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 25.6.2020 and has got no



criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Specific allegation is against co-accused Abdul Rashid. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, 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 learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 264/2018.

(Sudhir Singh, J)

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