

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38095 of 2020**

Arising Out of PS. Case No.-148 Year-2020 Thana- KATIHAR MUFFASIL District- Katihar

MD. NAIMUL @ MD. ANAMUL S/o Md. Sagir Resident of Village-  
Dhusmar, P.O and P.S-Mufassil, District-Katihar,Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Indrajesh Kumar. Adv.

For the Opposite Party/s : Ms. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      08-02-2021                      Heard Mr. Indrajesh Kumar, learned counsel for the  
petitioner and Ms. Rita Verma, Additional Public Prosecutor for  
the State.

2. Petitioner seeks regular bail in connection with  
Katihar Mufassil PS Case No. 148/2020 registered for the  
offence punishable under Section 302 of the IPC and Section  
3(1)(i)(r)(s) ST/SC Act.

3. The allegation, as per First Information Report, is  
that uncle of the informant was admitted in Sadar Hospital,  
Katihar and when informant went to see him, his uncle told the  
informant that Mojabir @ Mojahid assaulted him by means of  
knife in the stomach and subsequently, during course of  
treatment, uncle of the informant died.

4. Learned counsel for the petitioner submits that the  
petitioner has not committed any offence in the manner alleged



and petitioner has falsely been implicated in this case during investigation and his name is not mentioned in the FIR. Learned counsel further submits that from the FIR itself, it would be evident that there is specific allegation against accused, Mojabir @ Mojahid stating therein that he had attacked and assaulted the uncle of the informant by means of knife.

5. Learned counsel next submits that from perusal of the impugned order, it would be evident that wife of the deceased, in para-08 and 35 of the case diary, has taken the name of Mojabir @ Mojahid as an assailant whereas in para-31, she took the name of petitioner. Learned counsel further submits that the petitioner is in custody since 06.07.2020.

6. Having regard to the submissions made by the parties and taking into consideration the nature of allegation and the fact that petitioner is in custody since 06.07.2020, I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, MD. NAIMUL @ MD. ANAMUL 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 Additional District and Sessions Judge-1<sup>st</sup> (Special Judge, SC/ST), Katihar in connection with Katihar Mufassil PS Case No. 148/2020.



8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

**(Anil Kumar Sinha, J)**

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