

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1259 of 2021

Arising Out of PS. Case No.-350 Year-2020 Thana- ALAMGANJ District- Patna

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MD. DANISH SON OF NEPALI MIYAN RESIDENT OF MOHALLA -
GAYGHAT, CHAND COLONY, P.S. - ALAMGNJ, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr. Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-07-2021 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Alamganj P. S. Case No. 350 of

2020, dated 20.06.2020, instituted for the offences under

Sections 341, 447, 307, 504, 506 and 34 of the Indian

Penal Code.

It has been alleged in the F.I.R. that the petitioner

attacked the informant by means of a sharp cutting weapon.

While warding off that attack, the informant got hurt in his

palm and started bleeding. Other persons also are said to

have assaulted the informant.



The learned counsel for the petitioner has submitted that he earns his livelihood as a plumber in Dehradun but has been made accused in this case because he has refused to become a witness in favour of the informant who is accused of a murder case.

Apart from this, it has been submitted that the informant is a person with tainted background whereas the petitioner is a person of clean antecedents. It is highly improbable that the petitioner would have attacked a person with such questionable antecedents.

The injury suffered by the informant is stated to be simple in nature.

It has also been stated that the informant may have received injuries in some other transaction but because of the refusal of the petitioner to become a witness on his behalf in a murder case in which the informant is sought to be prosecuted, he has been made accused in this case.

Regard being had to the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below



within a period of eight weeks from the date of receipt /
production of a copy of this order, 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 A.C.J.M. 1st, Patna City, in connection with Alamganj
P. S. Case No. 350 of 2020, subject to the conditions as
laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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