

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4441 of 2021

Arising Out of PS. Case No.-185 Year-2020 Thana- SURSAND District- Sitamarhi

MD. SIFTAIN @ MD. SOFTAIN RAZA @ MD. SOFTAIN @ MD.
SIFTAIN RAZA Son of MD. ATEEK Resident of Village - Shankar Pur Tola,
Ward No.6, P.S.- Sursand, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashhar Mustafa, Adv. Mr. Abu Nasar, Adv.
For the Opposite Party/s :		Dr. Ajeet Kumar, APP
For the Informant		Mr. Mahendra Thakur, Adv. Mr. Sanjay Kumar, Adv. Mr. Manoj Kumar Madhukar, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has filed the instant application for grant of regular bail in connection with Sursand P.S. Case no. 185 of 2020 registered under sections 307, 341, 323, 504, 379, 354 and 34 of the Indian Penal Code.

As per allegation in the FIR, the accused persons including the petitioner herein are stated to have come variously armed. It is stated that while Md. Junaid caught hold of the hair of the informant and misbehaved with her, the petitioner herein struck on her head with an iron rod as a result of which she sustained bleeding injury. It is further stated that Md. Junaid



struck her with fists on her right eye causing grievous injury.

It is submitted by learned counsel for the petitioner that the petitioner happens to be the first cousin of the informant and the FIR has been lodged on account of dispute between the families. Further referring to the injury report of the informant which has been brought on record as Annexure-2 series to the petition, it is submitted that the injuries have been found to be simple in nature. The petitioner is in custody since 3.9.2020, has no criminal antecedent and chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant has submitted that the petitioner is named in the FIR and there is specific allegation against him of assaulting with iron rod on the head of the informant who is a 19 year old unmarried girl. It is submitted that the allegations in the FIR have been corroborated by the injury report and, thus, it is not a case for grant of bail.

Having heard learned counsel for the parties and taking into consideration the relationship between the parties, the period in custody and chargesheet having been submitted, the Court is inclined to enlarge the petitioner on bail. The above



named petitioner is directed to be enlarged on bail in connection with Sursand P.S. Case no. 185 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Sitamarhi.

(Partha Sarthy, J)

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