

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59131 of 2021

Arising Out of PS. Case No.-77 Year-2021 Thana- JOGAPATTI District- West Champaran

1. WAZIR MIAN Son of Late Khukhu Mian Resident of Village- Donwar, Vriti Tola, P.S.- Jogapatti (Shanichari), District- West Champaran.
2. Raske Alam Mian Son of Wazir Mian Resident of Village- Donwar, Vriti Tola, P.S.- Jogapatti (Shanichari), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-04-2022 Heard learned counsel for the parties including the learned counsel for the informant.

Jogapatti (Shanishari) P.S. Case No. 77 of 2021
registered under Sections 147, 148, 149, 341, 323, 324, 307, 302
and 504 of the Indian Penal Code.

As per the prosecution case, the informant alleges that her husband was brutally assaulted by the accused persons including the petitioners herein and excessive bleeding led to his death. Specific allegation has been levelled against the petitioner no. 2 (Raske Alam Mian) that he gave the fatal knife blow in the back of her husband which led to excessive bleeding and subsequently he died.



Taking into account the aforesaid facts that specific role has been assigned to the petitioner no.2 (Raske Alam Mian), his bail application stands rejected.

So far as the petitioner no.1 (Wazir Mian) is concerned, an omnibus allegation has been levelled that he was also part of the mob that assaulted the deceased person. He is in jail since 20th of February, 2021.

In the aforesaid facts and circumstances of the case, let the petitioner no.1 (Wazir Mian) 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 Chief Judicial Magistrate, West Champaran at Bettiah in connection with Jogapatti (Shanishari) P.S. Case No. 77 of 2021.

The bail application of petitioner no.2 (Raske Alam Mian) is rejected while that of petitioner no. 1 (Wazir Mian) is allowed.

(Rajiv Roy, J)

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