

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37587 of 2023

Arising Out of PS. Case No.-129 Year-2022 Thana- MINAPUR District- Muzaffarpur

KAYUM KHAN @ QUAYUM KHAN SON OF LATE OLI KHAN
HARPUR BAKAS, PS- MINAPUR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-06-2023 Heard the parties.

The petitioner is in judicial custody in connection with Minapur P.S. Case No.129 of 2022 instituted under Sections 341, 342, 323, 324, 307, 504, 506/34 of the Indian Penal Code lodged on 20.03.2022 by the informant Md. Yunus Khan.

As per the FIR, on 20.03.2022 when the informant was sitting at the door of his house, his younger brother, Kayum Khan came and started abusing him due to previous land dispute. In the meantime, other accused persons arrived armed with lathi, danda, knife and iron rod and started 'Marpit'. Kayum Khan also gave knife blow to him. Due to injuries, he became unconscious and found himself later in Hospital. Accordingly, the FIR was lodged.



Earlier prayer for bail of the petitioner was rejected vide order dated 10.10.2022 passed in Cr. Misc. NO. 39823 of 2022.

Taking into account the fact that the petitioner is in custody since 21.03.2022 (as stated in paragraph-13 of the bail petition) and he do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Judicial Magistrate -1st Class, Muzaffarpur in connection with Minapur P.S. Case No. 129 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Jagdish/Kiran-

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