

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51278 of 2022

Arising Out of PS. Case No.-42 Year-2021 Thana- POTHIIYA District- Kishanganj

Manjoor Alam @ Manjur Son Of Pajiruddin R/O Village- Chota Suhagi, P.O.-
Chhatargach, P.S.- Pothia, District- Kishanganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar Singh
For the informant	:	Mr. Abdul Mannan Khan
		Mr. Mandira Sau
For the State	:	Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-02-2023 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 341, 323, 324, 307,

379, 504/34 of the Indian Penal Code and subsequently

Added Section 302 of the Indian Penal Code

The allegation against the petitioner is that he

assaulted the informant's niece, namely, Karina, by the

means of iron rod on head, due to which she succumbed



to injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is case and counter case between the parties and both parties have sustained injuries as alleged in separate occurrence. In the background of land dispute, the present case has been registered with false and concocted allegations. It is also submitted that there is no repetition of blow and the death of deceased cause during the course of free fight between the parties and in fact the victim has died due to blow given by her own uncle ie. informant. Moreover, the petitioner is languishing in judicial custody since 11.04.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Pothiya P.S. Case No. 42 of 2021 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 Additional Chief Judicial Magistrate I, Kishanganj.

(Sunil Kumar Panwar, J)

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