

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53399 of 2023

Arising Out of PS. Case No.-1179 Year-2022 Thana- SUPAUL District- Supaul

Md. Niyaj Uddin @ Azad S/O Late Sahebuddin R/O Village- Dekhighat,
Ward No. 05, Ps. And Dist. Supaul

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 324, 307, 379, 323, 427, 34 of the Indian Penal Code.

3. According to the FIR, the petitioner along with co-accused persons came at the orchard of the informant and trying to cut trees of mango & litchi. On opposed, the accused persons started assaulted due to which informant sustained injury. The petitioner is said to have assaulted the informant by means of knife.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner and the informant are full brothers and due to partition



dispute, the petitioner has falsely been implicated in this case. The medical report of the injured is not in-consonance with the prosecution wherein, doctor opined that injury is simple in nature caused by hard & blunt substance whereas, the petitioner is said to have assaulted by knife. It is further submitted that the petitioner is languishing in judicial custody since 24.3.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Supaul P.S. Case No. 1179 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul.

(Sunil Kumar Panwar, J)

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