

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62278 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- RAGHOPUR District- Supaul

MD. ISRAIL @ MD. ISRAIL MIYAN son of Md. Sovarati @ Md. Sovarati
Miyan @ Sovarati Village- Bangaipatti W.No-5, Ps- Raghapur Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-11-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 147, 148, 149, 341, 323, 324 and
302 of the Indian Penal Code.

3. As per allegation in the FIR, petitioner has
assaulted the informant's father by means of axe blow and co-
accused Md. Misrail assaulted him by means of spade blow as a
result of which he received injuries over his head, neck and
shoulder. Informant and other villagers took him to the hospital
where doctor declared his brought dead.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
previous enmity. Both parties are agnates and there is case and



counter case. Specific allegation of giving ace and spade blow is against co-accused Md. Misrael and Md. Mansoor. General and omnibus allegation has been levelled against this petitioner. He has got no criminal antecedent. Petitioner is languishing in judicial custody since 14.1.2023.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner is named in the FIR. .

Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge IV, Supaul in connection with Raghapur P.S. Case No. 17 of 2023.

(Sunil Kumar Panwar, J)

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