

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68054 of 2023

Arising Out of PS. Case No.-912 Year-2022 Thana- ARARIA District- Araria

MD. RIZWAN @ RIZWAN TAMEER @ TAMIR UDDIN VILLAGE -
MANIKPUR, WARD NO- 11, P.S.- ARARIA (BAIRGACHHI O.P), DISTT-
ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 06-12-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seek bail in connection with Araria
(Bairgachi) P.S. Case No. 912 of 2022 registered for the offence
under Sections 341, 323, 324, 307, 354(B), 379, 504, 506/34,
302 of the Indian Penal Code.

3. As per the prosecution case, the deceased died after
five days of the assault by the accused persons. Md. Rashid is
said to have given a blow from a rod on the head of the
deceased and subsequently this petitioner is also said to have
assaulted the deceased along with co-accused Samim. The
deceased died during the course of treatment.

4. Learned counsel for the petitioner submits that the



postmortem report doesn't support the prosecution's case, as the petitioner and the deceased has sustained fractures in both nasal bones. Petitioner is in custody since 05.08.2023.

5. Learned counsel for the informant has vehemently opposed the prayer for bail.

7. Let the petitioner, above named, be released on bail **after framing of the charge**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria (Bairgachhi) P.S. Case No. 912 of 2022.

8. The petitioner will cooperate in the proceeding of the court below. In the event of failure to appear on two consecutive dates, the court below will be at liberty to pass appropriate order including cancellation of bail bonds of the petitioners.

(Sandeep Kumar, J)

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