

IN THE COURT OF SESSIONS JUDGE, KATIHAR

(BAIL PETITION NO. 817 of 2023)

Biltu Khan Vs State of Bihar.

07.10.2023 Heard both sides on bail petition dated 10.08.23 filed on behalf of above named petitioner Biltu Khan, who is in custody since 01.08.23 in connection with Amadabad PS case no. 292 of 2022 for offences U/s.341,323,324,307,379,325,504/34 of IPC.

The prosecution case as stated in FIR in short is that on 15.12.2022 accused persons named in FIR were constructing house over the land of informant Shakila Khatoon, on objection they abused and assaulted informant party and also took out ornament from the possession of informant. It has been alleged that during occurrence this petitioner Biltu Khan assaulted to Sohel Khan on his head by sickle, causing head injury.

Ld. Counsel appearing on behalf of petitioner submitted that petitioner is innocent, has committed no offence. It has further been submitted that there is previous enmity, land dispute between the parties and there was no intention of this petitioner to kill the injured Sohel Khan. It has been further submitted that there is no evidence against this petitioner in case diary and he is languishing in judicial custody since 01.08.23 and there is no criminal antecedent against him.

The Ld. Public Prosecutor, Sri S. Prasad appearing on behalf of the State opposed the prayer of bail of the petitioner.

Perused the record and case diary, it appears that there is allegation of assault against this petitioner, who assaulted to Shil Khan, causing grievous injury sustained by him in head, but the petitioner is languishing in judicial custody since 01.08.2023 and he is a man of clean antecedent. Further, there is land dispute between the parties.

In view of the above facts as well as well as keeping in view the custody period of this petitioner, he is directed to be released on bail on furnishing the bail bond of Rs.10000/- with two sureties of the like amount each to the satisfaction of the Ld. Court below subject to condition that the petitioner shall not repeat the similar nature of offence against informant in future.

Sd/-

(H K Tripathi)

SESSIONS JUDGE, KATIHAR

Dated: 07.10.2023