

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67590 of 2019

Arising Out of PS. Case No.-222 Year-2019 Thana- PAHARPUR District- East Champaran

MOBARAK MIYAN S/o Akbar Miyan Resident of Village- Saraiya Bazar,
Police Station- Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhurendra Kumar, Advocate
For the Informant	:	Mr. Shakil Ahmad Khan, Advocate
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of
Paharpur P.S. Case No. 222 of 2019, disclosing the offences
under Sections 147, 148, 149, 341, 323, 324, 302 and 504 of the
Indian Penal Code.

Referring to the First Information Report, learned
counsel appearing on behalf of the petitioner has submitted that
the main allegation of assault is against Mirja Miyan. So far the
petitioner is concerned, he is said to have assaulted mother of
the deceased with fists and slaps.

Learned counsel appearing on behalf of the informant
has opposed the prayer for regular bail and has submitted that



since the petitioner had actively participated in commission of offence, he does not deserve regular bail.

However, considering the nature of the overt act alleged against this petitioner and the fact that the petitioner is in custody since 30th of July, 2019, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, East Champaran at Motihari**, in connection with **Paharpur P.S. Case No. 222 of 2019** subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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