

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27860 of 2020

Arising Out of PS. Case No.-382 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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MD. ANJUM S/o Md. Aiyaj Resident of Laruara, P.S.-Muffasil, District-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Adv.

For the Opposite Party/s : Md. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 14-12-2020 Heard the learned counsel for the petitioner
and Md. Akbar Ali, the learned APP for the State.

The petitioner seeks regular bail in connection
with Muffasil P.S. Case No. 382 of 2019, registered
for the offence punishable under Sections 341,
323, 324, 307, 504, 34 of the Indian Penal Code
and subsequently, Section 302 of the Indian Penal
Code was added.

The petitioner and other co-accused persons
are alleged to have arrived at the house of the
informant on the alleged date and time of
occurrence and are alleged to have started



abusing the informant, whereafter they also started uprooting the brinjal plants and when the husband of the informant had protested, the co-accused persons had assaulted him by means of dabiya and had also assaulted the son of the informant by sword as also the co-accused persons had engaged in hitting the members of the prosecution party by bricks.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 17.02.2020. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, no allegation has been levelled in the FIR of him having assaulted either the informant or any member of the prosecution party, hence, the petitioner is having no complicity in the alleged occurrence. It is further submitted that the injured, Md. Vahid, is stated to have succumbed to his injuries, however, the injuries inflicted on his person are attributable to the co-



accused persons, namely, Md. Sarfaraz, Aamir Hamsher and Aamir Hamja. Thus, it is submitted that the petitioner be granted the privilege of bail.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also those available in the case diary, this Court finds that there is no allegation of assault by the petitioner herein qua the deceased and moreover, there is minuscule evidence in the case diary to prima facie show the complicity of the petitioner in the alleged crime, hence, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Begusarai in connection with Muffasil P.S. Case No.
382 of 2019.

(Mohit Kumar Shah, J)

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