

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34773 of 2020

Arising Out of PS. Case No.-103 Year-2020 Thana- GURARU District- Gaya

MD. IFTEKHAR Son of Abdul Hai Residence of Village-Baiju Bigha, P.S.-
Guraru, District-Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 23-12-2020 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Guraru P.S. Case No. 103 of 2020, disclosing offences punishable under Sections 147, 148, 149, 323, 341, 325, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

There are ten persons named in the First Information Report. There is allegation against them of having abused and assaulted the informant. There is some allegation against co-accused Nehal and Suhailof having assaulted the informant but there is no specific overt act so far as the present petitioner is concerned. Learned counsel for the petitioner has submitted that there is general and omnibus allegation against him.



Learned counsel for the informant has vehemently opposed the prayer for bail and has submitted that on reading of the FIR in its entirety, it is evident that there was common intention of all the accused persons to commit the offence. She has submitted that the petitioner does not deserve the privilege of regular bail in the background of serious allegation made against the petitioner and other co-accused persons.

Be that as it may, considering the general and omnibus nature of allegation against the petitioner, this application is allowed.

Let the petitioner above-named, be released on bail 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, Gaya in Guraru P.S. Case No. 103 of 2020.

(Chakradhari Sharan Singh, J)

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