

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81448 of 2019**

Arising Out of PS. Case No.-209 Year-2018 Thana- PIRPAINTI District- Bhagalpur

MD. NASIR Son of Md. Sirajuddin Resident of Village - Govindpur, P.S.-  
Pirpanti, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjan Kumar Jha  
For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

3      14-01-2020                      Heard learned Counsel for the petitioner and the  
  
learned APP for the State. Counsel for the informant has also  
  
appeared and opposed the prayer for bail.

The petitioner, who is in custody, seeks bail in a case  
registered under Sections 147, 148, 149, 448, 323, 307, 379,  
504, 506, 354A of the Indian Penal Code and Section 27 of the  
Arms Act in connection with Pirpanti PS Case No. 209 of  
2018.

The allegation is that the petitioner along with many  
other members of his family have indulged in assault upon the  
informant and his family members.

Pointing out to the FIR it is submitted by petitioner's  
Counsel that specific allegation of fire arm assault was  
attributed to Md. Rabbul. Md. Katkun and Md Raja have



allegedly assaulted some of the family members of the informant by means of sword and farsa. Even as per prosecution case there is no specific allegation of assault levelled against the petitioner and upon general and omnibus allegation petitioner is in custody since 11.10.2019. There is subsisting land dispute and father of the petitioner had earlier lodged Pirpanti PS Case No. 162 of 2018. It is in such circumstances that the petitioner and all his family members have been implicated in this case. Petitioner is on bail in the earlier case in which he is an accused.

Learned Counsel for the informant and the APP have opposed the prayer for bail. It is submitted that the petitioner cannot deny his responsibility in the occurrence as he is one of the members of the party which has assaulted the informant and his family members. There is also allegation of ransacking the house and teasing inmates of the house.

Considering the aforesaid submissions prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM 11<sup>th</sup> Bhagalpur in Pirpanti PS Case No. 209 of 2018 subject to the conditions:- (I) That one of the



bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner. (ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

**(Madhuresh Prasad, J)**

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