

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29073 of 2021

Arising Out of PS. Case No.-213 Year-2020 Thana- PRANPUR District- Katihar

1. MD. IDRISH @ AKALU S/O LATE MD. MAZID RESIDENT OF SAKIN SIRANDA, KAJRA TOLA, P.S.-PRANPUR, DISTRICT-KATIHAR.
2. MD. MANSOOR S/O LATE MD. MAZID RESIDENT OF SAKIN SIRANDA, KAJRA TOLA, P.S.-PRANPUR, DISTRICT-KATIHAR.
3. MD. KHALIK S/O LATE MD. MAZID RESIDENT OF SAKIN SIRANDA, KAJRA TOLA, P.S.-PRANPUR, DISTRICT-KATIHAR.
4. MD. AYYUB S/O LATE MD. MAZID RESIDENT OF SAKIN SIRANDA, KAJRA TOLA, P.S.-PRANPUR, DISTRICT-KATIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Ms. Preety Kunwar, Advocate
For the informant	:	Mr. Sanjeev Kumar Singh, Advocate
For the State	:	Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-12-2021 Heard Mr. N.K. Agrawal, learned senior counsel for the petitioners, Mr. Sanjeev Kumar Singh, learned counsel for the informant and Mr. Umeshanand Pandit, learned Additional Public Prosecutor appearing for the State.

Petitioners seek regular bail in connection with Pranpur P.S. Case No. 213 of 2020 registered for the offences punishable under Sections 341, 323, 324, 307, 302, 504 and 506/34 of the Indian Penal Code 1860.

The allegation as per the First Information Report is that son of the informant after closing his Mobile shop was



going to his relative place and was assaulted by eleven accused persons named in the First Information Report by means of sword, *Farsa*, *Bhala*, *Ballam* etc.

Learned senior counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case due to previous enmity between the parties inasmuch as earlier a case was lodged against the petitioners by the wife's sister of the informant namely, Khushboo Khatoon. Learned counsel further submits that the entire relatives of the petitioners have been made accused in this case and the petitioners herein are relatives and residing in the same village. Learned counsel next submits that there is no eye witness to the occurrence and the allegation against the petitioners is general and omnibus in nature.

On the other hand, Mr. Sanjeev Kumar Singh, learned counsel for the informant opposed the prayer for bail and submits that during course of investigation, one eye witness who is a cousin brother of the deceased claims to have seen the occurrence.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the previous enmity between the parties and the fact that the



allegation against the petitioners is general and omnibus in nature and the petitioners are in custody since 1.12.2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Pranpur P.S. Case No. 213 of 2020 subject to the condition that the petitioners will be well represented on each date in the trial and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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