

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30114 of 2021**

Arising Out of PS. Case No.-264 Year-2018 Thana- RAJAON District- Banka

MD. ANJAR Son of Late Md. Shamim @ Bhojal @ Kojal Resident of Village
- Harna Buzurg, P.S.- Rajoun (Nawada Bazar O.P.), District - Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Nurul Hoda
For the Opposite Party/s : Mr. Nagendra Prasad, APP.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 12-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 307, 379 and some other ancillary Sections of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, the accused persons, including this petitioner, variously armed, came to the house of the informant and started abusing him and when the informant protested, he was assaulted by the accused persons.

Learned counsel appearing for the petitioner submits that there is general and omnibus allegation of assault against all the accused persons. No overt act is alleged against this petitioner. Specific allegation of assault is against co-accused, Abdul Rashid @ Babloo. There is case and counter case and both the parties are Gotias. Similarly situated accused, Md. Hasim has already been granted by a coordinate Bench of this court vide order dated



02.02.2021 passed in Cr. Misc. No. 37113/2020. Petitioner is in custody since 20.10.2020 and charge sheet has already been submitted..

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Additional Sessions Judge- III, Banka in connection with S. Tr. No. 63/2021, arising out of Rajoun PS case No. 264/2018, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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