

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40944 of 2021**

Arising Out of PS. Case No.-194 Year-2020 Thana- HATHAURI District- Muzaffarpur

MUNNE Son of Sabir Resident of Village- Khanpur Berai, P.S.- Hathauri,
Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr. V. S. Modi, APP

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

2 21-10-2021 Heard learned counsel for the petitioner and the State.

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

As per the prosecution case, 45 FIR named accused persons, including this petitioner, and 40-50 unknown persons armed with Lathi, Danda, Farsa and pistol came to Darwaja of informant and started abusing her and on protest the accused persons started assaulting the informant and her family members and made indiscriminate firing causing injuries to family members of the informant. It is further alleged that petitioner side was asking to withdraw the previous case lodged by the informant side against the petitioner and others and on refusal the petitioner side committed the aforesaid crime.



Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. There is general and omnibus allegation of assault and firing against 45 FIR named accused persons and 40-50 unknown persons and no specific overt act has been alleged against this petitioner. There is case and counter case. Petitioner claims clean antecedent and is in custody since 11.03.2021 and investigation in this case is complete.

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 Sri Deepak Kumar, Judicial Magistrate, 1st class, Muzaffarpur in connection with Harhauri PS case No. 194/2020 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)

BKS/-

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