

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9923 of 2021

Arising Out of PS. Case No.-199 Year-2019 Thana- JOKIHAT District- Araria

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Md Istakhar S/o Nabi Hasan @ Md. Nabi Hasan R/o village- Bhagwanpur,
P.S.- Jokihat, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Jokihat P. S. Case No. 199 of 2019 registered under sections 307, 341, 323, 324, 354B, 379, 447, 448, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the F.I.R., eight named accused persons including the petitioner herein entered into the house of the informant. It is further stated that on the orders of co-accused Navi Hassan, all the accused persons opened the lock and took away Rs.45,000/- in cash and ornaments worth Rs.35,000/-. It is further stated that the informant was pulled by her hair and misbehaved with. Co-accused Sohrab struck on her



head with the *Farsa*.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the F.I.R. are false and concocted. The petitioner and others have been falsely implicated in the case because of land dispute. It is further submitted that allegation against the petitioner is general and omnibus in nature and no specific overt act has been alleged. A number of co-accused have been enlarged on bail. The petitioner is in custody since 14.9.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the allegations against the petitioner being general and omnibus in nature and the period in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Jokihat P. S. Case No. 199 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria.



(Partha Sarthy, J)

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