

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4764 of 2021**

Arising Out of PS. Case No.-179 Year-2020 Thana- PALASI District- Araria

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ALAM S/o Jalil R/o Village- Pachali, P.S, Palasi, District- Araria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

4 13-09-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Palasi P.S.
Case No.179/2020, registered for the offence punishable under
Sections 147, 148, 149, 341, 323, 307, 302, 379, 504 of the
Indian Penal Code.

The prosecution case in short is that on 27.05.2020, when
informant was operating his mill, electricity was cut from the
pole by Md.Sakil of his village. It is alleged that when he raised
objection, all FIR named accused persons assaulted his brother
Md. Hakim with farsa, rod, lathi, dabia and also taken Rs.3500/-
from his pocket.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence



as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case due to village politics and enmity between the parties. There is general and omnibus allegation against the petitioner. The injury of the deceased in case diary shows simple in nature. It is further submitted that the charge has already been framed against the petitioner in this case. The petitioner has no criminal antecedent and has been languishing in custody since 12.06.2020.

Learned APP for the State opposed the prayer for bail by submitting that initially the case was lodge u/s 307 and 379 of the IPC but subsequently other sections were added as during investigation, the injured Md. Hakim died due to the injuries sustained in the alleged occurrence. This fact is mentioned in para-18 of the case diary. There is specific allegation against three accused persons including the petitioner.

Considering the facts and circumstances of this case, since petitioner has undergone custody of more than one year and charges has been framed, as per the submission of learned counsel for the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Araria, in connection with Palasi P.S. Case
No.179/2020.

However, before accepting the bail bonds, learned trial
court is directed to verify the fact that charge has been framed
against the petitioner, as submitted by learned counsel for the
petitioner.

(Anjani Kumar Sharan, J)

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