

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8517 of 2021

Arising Out of PS. Case No.-99 Year-2019 Thana- MAHINDWARA District- Sitamarhi

Nek Mohammad, Son of Late Ulfat Hussain, resident of Village-Gidha
Fulwaria, P.S. Mahindwara District Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Suresh Prasad Bhakta, Advocate
For the Opposite Party	:	Mr. Humanyou Ahmad Khan, APP Mr. Dinesh Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 17-11-2021 Heard learned counsel for the petitioner and learned
counsel for the State being assisted by learned counsel for the
informant.

The petitioner seeks bail in connection with
Mahindwara P.S. Case No.99 of 2019 registered under Sections
147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the
Indian Penal Code.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 27.11.2019 passed in
Cr.Misc. No.66574 of 2019.

Learned counsel for the petitioner submitted that the
petitioner has lodged Mahindwara P.S. Case No.100 of 2019
against the informant and others for the offences punishable



under Sections 147, 148, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code. In the instant case, the son of the petitioner Md. Husnain Akhtar had received several sharp cut injuries on his person. He submitted that in the instant case, though the petitioner is in custody since July 2019, charges have not been framed. He contended that the petitioner is aged about 69 years and is physically unable to perform his daily routine inside the jail.

Learned counsel for the State being assisted by learned counsel for the informant opposed the prayer for bail.

Considering the period of over two years undergone by the petitioner in custody and the fact that even the charges have not been framed, I am inclined to grant bail. Accordingly, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sitamarhi in connection with Mahindwara P.S. Case No.99 of 2019.

(Ashwani Kumar Singh, J)

kanchan/-

U		T	
---	--	---	--

