

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9180 of 2021

Arising Out of PS. Case No.-39 Year-2019 Thana- HAYAGHAT District- Darbhanga

MD GUDDU SON OF MD. MAZLUM @ MD. MAJLUM
MOHALLA/VILLAGE- RASOOLPUR, P.S.- HAYAGHAT DISTT.-
DARBHANGA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kedar Jha
For the Opposite Party/s	:	Mr. Upendra Kumar
	:	Mr. Jagannath Singh
	:	Mr. Pravashankar Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-06-2021 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Hayaghat P.S. Case No.39 of 2019 registered for the offence punishable under Section 447, 448, 323, 341, 354, 379, 307, 506, 504, 34 of the Indian Penal Code.

Allegation against the petitioner is that he along with eight co-accused persons armed with Lathi, Danda and Farsa assaulted and looted the informant. Petitioner strike on the head of the informant



causing injury on his head.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submitted that first treated doctor of PHC has found two injuries caused by heard and blunt substance and accordingly issued injury report of victim which is found simple in nature by the doctor but the impugned order speaks contrary injury of informant as issued by the first treated doctor of informant. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as mentioned in para 3 of the bail application and has been languishing in custody since 3.10.2020.

Learned APP for the State and learned counsel for the informant has opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail and 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 court below where the case is pending in connection with Hayaghat P.S. Case No. 39 of 2019.

(Anjani Kumar Sharan, J)

GAURAV S./-

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