

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11031 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- DAGARUA District- Purnia

Shahid @ Shahid Alam aged about 58 years, (Male) son of Tajul, Resident of village- Hatgachhi Police Station- Dagaruwa, District- Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Dr. Bidhu Ranjan Advocate
For the State : Mr. Nirmal Kumar Sinha APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2 Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

3. Heard learned counsel for the petitioner and learned counsel for the State

4. The petitioner seeks bail in Dagaruwa PS Case No. 110 of 2020, instituted for the offence under Sections 147,148,149,341,323,307,504 and 302 of the Indian Penal Code.

5. The informant's wife has sustained injury and succumbed to the same when she fell off a motorcycle while she was hitching a ride with co-accused, namely, Mintu. The issue led to a '*Panchayati*' at the instance of the informant, wherein, it is alleged that Wahid Hussain along with co-accused Husnain has come and it is alleged that altogether 28 persons have indulged



in indiscriminate assault.

6. The learned counsel for the petitioner submits that perusal of the prosecution version makes it clear that the informant's wife died due to an accident. The specific allegation of assault upon the informant's son is against co-accused Husnain. The petitioner along with 27 other accused persons were made accused because they were participating in the '*Panchayati*'. Having no specific allegation regarding any overt act, his name finds place in serial no. 8 in the column of the accused persons. Having no criminal antecedents, he is in custody since 30.09.2020.

7. The learned APP representing the State has opposed the prayer for bail.

8. Considering the rival submissions, 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 the learned **CJM Purnea**, in connection with **Dagaruwa PS Case No. 110 of 2020**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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