

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2443 of 2022

Arising Out of PS. Case No.-61 Year-2021 Thana- DANDKHORA District- Katihar

Md. Muslim Son of Late Md. Amant @ Sk. Amanat R/O Village-
Kandharpailli, P.S.- Dandkhora, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Dandkhora
P.S. Case No. 61 of 2021 registered for the offence under Sections
341, 324, 448, 323, 354, 302, 504/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 13.08.2021.

The allegation against the petitioner is to commit murder
of the father of informant along with other co-accused persons by
causing injury with rod, sword, etc.

Learned counsel appearing on behalf of the petitioner
submitted that allegation against petitioner is to assault informant
causing sword injury on his hand. It is submitted that allegation as



regard to fatal assault is very much general and omnibus against this petitioner. While concluding the argument, it has been submitted that post-mortem report denies the allegation on its face that deceased was assaulted by several persons that a single injury was found on the head caused by hard and blunt substances, where petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel appearing on behalf of informant, Mr. Jivendra Mishra, vehemently opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation as regard to fatal assault is very much general and omnibus coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Dandkhora P.S. Case No. 61 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar/concerned court, subject to the following conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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