

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9222 of 2022

Arising Out of PS. Case No.-396 Year-2021 Thana- BARACHATTI District- Gaya

Babloo Quraishi @ Babloo @ Ali Akbar Quraishi @ Md. Ali Akbar Quraishi
Son Of Abbas Quraishi R/O Village- Bajarkar, P.S.- Barachatti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-11-2022 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
Barachatti P.S. Case No. 396 of 2021 registered for the offence
under Sections 341, 342, 323, 308, 379, 504 and 34 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.11.2021.

The allegation against the petitioner is taken away
brother of the informant, along with other co-accused persons,
after assaulting him with iron rod etc., confined him in a room
and also threatened him with dire consequences.



Learned counsel appearing on behalf of the petitioner submitted that the allegation is very much general and omnibus against this petitioner and the prayer of bail of the petitioner was rejected by learned Trial Court only for the reason that he involved in seven (7) more criminal cases, having no bearing over the merit of this case. It is submitted that similarly situated co-accused person has already granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 10580 of 2022 vide order dated 08.08.2022. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation against this petitioner 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 Barachatti P.S. Case No. 396 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 Additional Chief Judicial Magistrate,



Sherghati, District-Gaya/concerned court, subject to the following conditions:

“(i) Accused/Petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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