

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10225 of 2022

Arising Out of PS. Case No.-875 Year-2019 Thana- SARAIYA District- Muzaffarpur

MD. NAUSHAD Son of Md. Alam Resident of Village - Goriara, P.S. - Karja,
District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar Singh, Advocate
For the Informant	:	Mr.Yugal Kishore, Advocate
For the Opposite Party/s	:	Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 12(B) and 34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 08.08.2021 and has got antecedent
of two cases.

The informant alleges that on 29.12.2019 at about
9:00 am, petitioner along with six other named accused persons
and twenty unknown persons came at the door of the informant
and assaulted him, misbehaved with the female members of the
family, snatched Rs. 20,000/- and even tried to kidnap the



informant upon which the father and younger brother of the informant tried to save him but Md. Alam in order to kill them crushed them with his four-wheeler, thereafter villagers intervened and caught Md. Majid whereas other accused persons fled away.

Learned counsel for the petitioner submits that the petitioner had earlier moved for anticipatory bail along with Md. Vakil, Md. Kalam and Md. Mustafa vide Cr. Misc. No. 19005 of 2021 but the petitioner was arrested and as such he had to withdraw the anticipatory bail application which was permitted vide order dated 03.03.2022 and the other petitioners of the said case got anticipatory bail. Learned counsel thus submits that the present petitioner is similarly situated like the petitioners who have got anticipatory bail.

Learned counsel for the informant and learned A.P.P. for the State oppose the prayer for bail of the petitioner but the learned counsel for the informant fairly submits that the petitioner is similarly situated like the petitioners of Cr. Misc. No. 19005 of 2021.

Considering the submissions made by the learned counsel for the petitioner and taking into consideration the fact that the petitioner is in custody since 08.08.2021 and the co-



accused have been granted anticipatory bail, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Saraiya P.S. Case No. 875 of 2019.

At this stage, the learned counsel for the informant submits that the trial has commenced, in the event, if the learned court below comes to a conclusion that the petitioner after his release is trying to delay the trial, in any manner, the learned court below shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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