

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14423 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- DUMRAO District- Buxar

Firoz Ali, Son Of Kamaluddin Hashmi Resident Of Muhalla - Dhelwani,
Dumraon, Ward No.- 05, P.S. - Dumraon, District - Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjesh Kumar Singh
For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 341,
323, 504, 506, 427 and 353/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that while he was discharging his official duty in the
municipality when accused persons including the petitioner
along with unknown accused persons came and started abusing
him and his office staff and on protest, they took file kept in the
office, tore them and even threatened to kill, which was
witnessed by the named witnesses of the office.

The learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case. It is next submitted that petitioner had applied for birth certificate of his daughter and the informant was demanding a bribe of Rs.1,000/- on account of which, there was an altercation and informant and office staffs assaulted the petitioner. It is next submitted that this perhaps explains the reason why no reason for the occurrence is mentioned in the F.I.R. It is also submitted that allegation of tearing the file is vague as F.I.R. does not disclose what documents were torn despite F.I.R. being instituted after 30 hours of the occurrence. It is next submitted that it was the informant, who tore the application filed by the petitioner for getting the birth certificate of his daughter.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees 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 Dumraon P. S. Case No.28 of 2022, subject to the conditions laid down under Section 438(2) of the



Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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