

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16021 of 2022**

Arising Out of PS. Case No.-128 Year-2021 Thana- MANIGACHI District- Darbhanga

MD AKBAR @ AKBAR SON OF ZAFIRUL RAHMAN RESIDENT OF
VILLAGE- BAJITPUR, P.S. MANIGHACHI, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

At the very outset, learned counsel for the petitioner is permitted to make necessary correction in the bail petition. Permission is granted.

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

The petitioner has preferred this application for grant of regular bail in a case registered under Sections 147, 148, 149, 447, 341, 342, 323, 324, 307 and 302 of the Indian Penal Code .

As per the prosecution case, the petitioner and co-accused person armed with iron rod, bamboo and spear came to



the door of informant and brought him and his brother Md. Salauddin at the house of Safikur Rehman. It is further alleged that co-accused, Md. Ashraf and Md. Afrab assaulted with iron rod on the head of the brother of the informant, as a result, he succumbed to the injuries. The co-accused Safikur Rehman and Babar assaulted with iron rod on the head of the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. Learned counsel for the petitioner has further submitted that the acquisition against the petitioner is general and omnibus. The specific allegation of assault is against the co-accused persons, Md. Ashram and Aftab. There is counter version of the occurrence. The petitioner has clean antecedent as stated at para 3 of the bail petition. The Coordinate Bench has already granted anticipatory bail vide order dated 15.06.2022 passed in Cr. Misc. No. 50573 of 2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned A.C.J.M., Darbhanga, in connection with Manigachi
Bajitpur (O.P.) P.S. Case No. 128 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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