

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.27426 of 2022

Arising Out of PS. Case No.-137 Year-2020 Thana- AANDAR District- Siwan

S.K. SAHABUDDIN @ SHEKH SHAHABUDDIN @ MD.
SHAHABUDDIN Son of Shekh Habib Resident of Village - Gaziapur, P.S. -
Andar, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Sanjay Kumar Singh

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

ORAL ORDER

2 08-09-2022 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.

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 341, 323, 324,
379, 504 and 506 read with 34 of the Indian Penal Code.

As per the prosecution case, the informant along with
her son Jamshed Ali was going to bank on a motorcycle and on
the way the petitioner and co-accused persons started assaulting
her son with fist. When the informant tried to rescue him then
other co-accused persons started assaulting her and also
snatched her gold chain worth Rs. 40,000/- . The petitioner
inflicted blow of knife on the shoulder and head of the



Informant's son. On halla, they fled away.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is case and counter case between the parties. There was free fight between the parties and both the parties sustained injuries. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.03.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and further submitted that the injured was not treated at Siwan at Chapra, whereas he was treated by private hospital at Patna. There is specific allegation against the petitioner.

Considering the aforesaid facts and circumstances as well as the period of detention, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Concerned Court below, Siwan in connection with Aandar P.S. Case No. 137 of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

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