

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42788 of 2021

Arising Out of PS. Case No.-61 Year-2020 Thana- RAHIKA District- Madhubani

1. MD KALIM Son of Late Abdul Khair R/o Village- Sugauna, P.S.- Rahika,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Gautam Kumar Yadav
For the Opposite Party/s :	Mr.Arun Kumar
	Mr. Shailendra kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 02-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Rahika Police Station Case No. 61 of 2020, registered for the
offences punishable under Sections 307/147/148/149/324/325/
326/380/341/342/504/506/364 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that altogether 20 persons, including the petitioner,
have allegedly assaulted the informant and his brother.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of
concocted story. He further submits that the allegation against
the petitioner is general and omnibus in nature and there is case



and counter case between the parties inasmuch as co-accused Md. Kamran has lodged Rahika Police Station Case No. 60 of 2020 against the informant and others. He further submits that the petitioner has got no criminal antecedent, however, the informant is having criminal antecedent and altogether seven criminal cases are pending against him and the present First Information Report has been lodged due to political rivalry. He further submits that co-accused Abdul Barik has been granted bail by co-ordinate Bench of this Court, vide order passed in Criminal Misc. No. 14778 of 2021. He further submits that the petitioner is in custody since 21.06.2021 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that the allegation against the petitioner is general and omnibus in nature, similarly situated co-accused has been granted bail by this Court, there is case and counter case between the parties, charge sheet has already been submitted and the petitioner is in custody since 21.06.2021, I am inclined to grant regular bail to the petitioner.



This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani, in connection with Rahika Police Station Case No. 61 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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