

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45311 of 2022

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

Md. Juhi @ Juhi Son of Md. Chhote @ Ibrahim Resident of Village -
Bajitpur, P.S. Manigachhhi (Bajitpur O.P.), District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-11-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

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

Petitioner seeks regular bail in connection with
Manigachi (Bajitpur) P.S. Case No. 128 of 2021 registered for
the offences punishable under Sections 147, 148, 149, 447, 341,
342, 323, 324, 307 and 302 of the Indian Penal Code.

As per the prosecution, the informant's brother was
killed by this petitioner and other co-accused persons and the
accused persons also assaulted the informant and his family
members.

The main submissions advanced by the learned



counsel Mr. Vinay Kumar Mishra appearing for the petitioner are that in the FIR there is no specific allegation against the petitioner and altogether thirteen persons are named in the FIR and nine of them have been granted bail by different Benches of this Court vide orders passed in Cr. Misc. Nos. 53546 of 2021, 9998 of 2022, 16021 of 2022 and 48171 of 2022 and some of the co-accused persons have been granted anticipatory bail vide order passed in Cr. Misc. Nos. 50573 of 2021 and 7789 of 2022. Further submission is that the petitioner has clean antecedent and languishing in jail since 10.06.2022.

Learned APP Dr. Indihar Kumari appearing for the State has opposed the bail prayer.

Having regard to the facts and circumstances of this case and considering above submissions and also the facts that in the FIR there is no specific allegation against the petitioner and similarly situated co-accused persons mentioned-above are on bail and the main allegation of assaulting is specifically against co-accused persons but any specific role or act of the petitioner has not been revealed in the FIR, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner 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 the
concerned Court in connection with Manigachi (Bajitpur) P.S.
Case No. 128 of 2021.

(Shailendra Singh, J.)

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