

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45295 of 2022

Arising Out of PS. Case No.-310 Year-2020 Thana- JAGDISHPUR District- Bhojpur

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Pintu Son Of Hesamuddin Resident Of Mohalla- Bishen Tola Ward No. 12,
Jagdishpur, P.S- Jagdishpur, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 45376 of 2022

Arising Out of PS. Case No.-310 Year-2020 Thana- JAGDISHPUR District- Bhojpur

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Hesmuiddin Son Of Late Ali Ahmad Resident Of Mohalla - Bishen Tola, Ward
No.-12, Jagdishpur, P.S.- Jagdishpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 45295 of 2022)

For the Petitioner/s : Mr. Parmatma Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 45376 of 2022)

For the Petitioner/s : Mr. Parmatma Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-11-2022 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioners and the

learned APP for the State.

Petitioners seek regular bail in connection with



Jagdishpur P.S. Case No. 310 of 2020 registered for the offences punishable under Sections 323, 324, 307, 302, 504 and 34 of the Indian Penal Code.

As per the prosecution, the informant's father was brutally assaulted by this petitioner and other co-accused persons due to which he succumbed to the injuries. Further it is alleged that all the accused person have assaulted the informant and his family members.

The main submissions advanced by the learned counsel Mr. Parmatma Singh appearing for both the petitioners are that though the petitioners are named in the FIR but against them the allegation made in the FIR is general and omnibus and main allegation of assaulting is against co-accused Amir and Saddam and similarly situated some co-accused persons have been granted bail by a co-ordinate Bench and this Bench of this Court vide orders passed in Cr. Misc. Nos.38673 of 2021 and 14298 of 2022 and the petitioner Pintu has fair and clean antecedent and he is a young person. Further submission is that the petitioner Hesmuddin is an old person and he has also clean antecedent and against him there is no specific allegation in the FIR.

Learned APP Mr. Arun Kumar Singh appearing for



the State has opposed the bail prayer.

Having considered the above submissions and mainly taking into account the facts that in the FIR there is no specific allegation against the petitioners and several co-accused persons including the petitioners were named in the FIR but specific allegation of assaulting is mainly against two co-accused persons and also taking into account the petitioners' custody period and their clean antecedent and stage of their case, in the opinion of this Court a lenient approach can be taken in respect of the petitioners' prayer, let the petitioners 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 Jagdishpur P.S. Case No. 310 of 2020.

(Shailendra Singh, J.)

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