

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49092 of 2022

Arising Out of PS. Case No.-292 Year-2016 Thana- MUFFASIL District- West Champaran

Md. Shamshad Alam @ Shamshad Alam Son of Mumtaj Ansari R/O Village-
Vishambharpur, Madarsa Tola, P.S.- Bettiah Mufassil, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-12-2022 Heard Mr. Sanjeev Kumar, learned Advocate

for the petitioner and Mr. Akshay Lal Pandit for the

State.

The petitioner seeks bail in connection with

Bettiah Mufassil P.S. Case No. 292 of 2016 dated

26.06.2016 instituted for the offences under Sections

147, 148, 149, 323, 324, 307, 302, 447, 504 & 506 of

the Indian Penal Code.

Though the petitioner has been named along

with 7 other persons but the accusation against him is

general and omnibus. He and others are said to have



assaulted the deceased by means of Khanti.

The deceased has suffered only two injuries.

The petitioner is in custody since 26.02.2022 and a similarly situated accused person namely, Md. Mumtaz Ansari @ Mumtaz Ansari has been granted bail by Bench of this Court vide order dated 22.03.2017 passed in Cr. Misc. No. 12614 of 2017.

It appears surprising that the petitioner is in custody since 26.02.2022 when the case in which he was named was lodged in the year 2016. However, in absence of any statement in the impugned order or in the petition that the petitioner had never absconded, it cannot be presumed that the petitioner had been a fugitive.

Be that as it may, regard being had to the period of custody and there being general and omnibus nature of accusations against him, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned Chief
Judicial Magistrate, Bettiah, West Champaran in
connection with Bettiah Mufassil P.S. Case No. 292 of
2016.

(Ashutosh Kumar, J)

rishi/-

U		T	
---	--	---	--

