

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66795 of 2021

Arising Out of PS. Case No.-698 Year-2020 Thana- MAHUA District- Vaishali

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Md. Usman Son of Late Jalruddin @ Jalaluddin Resident of Village-
Paharpur, P.S.- Mahua, District- Vaishali at Hajipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 15-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Mahua
P.S. Case No. 698 of 2020 registered for the offence under
Sections 147, 148, 149, 341, 323, 324, 307, 302 and 504 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.08.2021.



The allegation against the petitioner is to commit murder of son of the informant, alongwith other co-accused person, equipped with deadly weapons like sword, rod etc., for dispute arises over drainage of water.

Learned counsel appearing on behalf of the petitioner submitted that the allegation is very much general and omnibus against this petitioner, where specific allegation of fatal assault is against co-accused, namely, Md. Manjur . While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as specific allegation of fatal assault is available against co-accused, namely, Md. Manjur and allegation against this petitioner is general and omnibus coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Mahua P.S. Case No. 698 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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