

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71406 of 2021

Arising Out of PS. Case No.-145 Year-2021 Thana- PAROO District- Muzaffarpur

Md. Imamuddin, Son of Late Md. Naimuddin Resident of Village-
Bahaddinpur, P.S.- Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2022 Heard learned counsel for the parties.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Paroo P.S. Case No.145 of 2021 instituted under Sections
341,323,324,307,379,504,447,506/34 of the Indian Penal Code.

As per the FIR, it is alleged that in the fight between
the children, the elders too jumped in whereafter it is alleged
that Md. Taiyab Alam inserted the knife in the informant's son
stomach, as a result whereof he became unconscious and fell
down on the ground. Further allegation is of snatching gold
ornaments worth Rs.2,00,000/-. The informant has also alleged
that all the other accused persons including the petitioner herein
assaulted them.



Learned counsel for the petitioner submits that specific allegation has been made against the son of the petitioner herein, namely, Md. Taiyab Alam of giving knife blow in the stomach of the informant's son. So far as the petitioner herein is concerned, an omnibus allegation of assault has been made against him as also his other family members for which he is in jail since 14.06.2021 (as stated in para-9 of the bail application). He further submits that he has no criminal antecedent.

Considering the aforesaid fact that specific allegation has been against Md. Taiyab Alam of giving knife blow in the stomach of the informant's son as also that omnibus allegation has been levelled against the petitioner and other accused persons of assault, he has clean antecedent and is in jail since 14.06.2021, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Paroo P.S. Case No.145 of 2021 to the satisfaction of learned A.C.J.M.,IIIrd, (West), Muzaffarpur, subject to following conditions:

- (i) one of the bailor should be the family member of



the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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

