

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.429 of 2022**

Arising Out of PS. Case No.-224 Year-2019 Thana- BHARGAMA District- Araria

MD MOJIM @ MD MOZIM Son of Tabarak Resident of Village- Bishariya
Akarthapa, P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navjot Yesu, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 17-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 341, 342,
323, 324, 354(B), 307, 447, 448, 504 and 302 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 17.09.2021, charge-sheet has been
submitted and is a person with clean antecedent.

The informant alleges that he along with his father
were going to Karbala fair where he saw a mob running towards
them raining arrows on account of which they tried to hide but
the mob reached there and Md. Yasin ordered to kill whereupon



Mangan shot arrow upon father of the informant hitting him in his rib cage on the left side. Further Abid injured Masudan by shooting arrow upon him. It is alleged that father of the informant died during course of treatment.

Learned counsel for the petitioner submits that altogether 24 persons are named in the FIR along with unknown accused and there is specific allegation against Md. Yasin and Mangan who shot arrows which hit on the armpit of the father of the informant leading to his death. Learned counsel further submits that petitioner is not alleged to have committed any overt act and the allegation against him is general and omnibus in nature. Learned counsel next submits that co-accused Md. Istfarul, Md. Mustakim, Md. Niyaj and Md. Jabarul have been granted bail by order dated 02.06.2020 in Cr. Misc. No. 9642 of 2020

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 17.09.2021, charge-sheet has been submitted and is a person with clean antecedent and co-accused have been granted bail, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty



Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bhargama P.S. Case No. 224 of 2019.

(Satyavrat Verma, J)

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