

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3529 of 2023

Arising Out of PS. Case No.-391 Year-2021 Thana- KANTI District- Muzaffarpur

1. MD. WAKIL @ MOHAMMAD VAKIL S/o Nathu Mian Resident Of Village- Goriyara, P.S.- Karja, Distt- Muzaffarpur.
2. Md. Niyaz S/o Md. Daver Resident Of Village- Goriyara, P.S.- Karja, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under sections 341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

As per the prosecution case, all the F.I.R. named accused persons including this petitioner, armed with iron rod, lathi, danda and sword assaulted the informant in which he sustained injury.

Learned counsel for the petitioner submits that as a matter of fact that he met an accident and sustained injury and taking advantage of the same, informant lodged this false and



fabricated case. From perusal of FIR it appears that the alleged occurrence took place on 10.06.2021 at about 09.30 a.m. but the present case was lodged on 11.06.2021 at about 18.20 hours, after the delay of 33 hours for which there is no explanation. Petitioner claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged 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 learned Judicial Magistrate, Ist Class, West, Muzaffarpur in connection with Kanti P.S. case no 391 of 2021 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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