

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3612 of 2023

Arising Out of PS. Case No.-191 Year-2022 Thana- SINGHIYA District- Samastipur

MD. JAMAL @ MOHAMMAD JAMAL S/o Md. Tahid @ She. Tahir R/o
Village- Sivaiya, P.S.- Singhia, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 324, 354, 504, 506,
379/34 of the IPC.

Allegation against the petitioner is of assaulting the
informant on her head by means of Tengari.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. It is submitted that
the alleged occurrence is said to have taken place on 01.08.2022
but the F.I.R. has been lodged on 23.08.2022, i.e. after an
inordinate delay of 23 days and no plausible explanation for



such a delay has been given, which itself creates doubt about the prosecution case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the delay in lodging the F.I.R., let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Singhia P.S. Case No.191 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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