

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11564 of 2023

Arising Out of PS. Case No.-297 Year-2022 Thana- BASANTPUR District- Siwan

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SHAHID MIYAN @ SHAYEED MIYAN SON OF LATE AMIR MIYAN
R/O VILL.- SHAMPUR, P.S.- BASANTPUR, DISTT.- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323, 324, 307,
302, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioner along with others
is of brutally assaulting the son of the informant by means of
sword, axe, *farsa* and rod, due to which the informant's son
succumbed to injury.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to old
dispute. He has committed no offence. There is general and
omnibus allegation against the petitioner. There is a case and
counter case between the parties. Members of both parties have



sustained injuries as alleged in a separate occurrence. He further submitted that the others co-accused have already been granted bail by a Co-ordinate Bench vide order dated 20.03.2023 passed in Cr. Misc. No. 65558 of 2022. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 28.06.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Siwan in connection with Basantpur P.S. Case No. 297 of 2022.

(Sunil Kumar Panwar, J)

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