

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16708 of 2023

Arising Out of PS. Case No.-177 Year-2022 Thana- MANIGACHI District- Darbhanga

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MAQSOOD ALAM @ MAQSOOD ALAM KHAN @ PAPPU KHAN Son
of Anisur Rahman Khan R/V- Naina Ghat, P.S- Sadar (Bhalpatti O.P) Dist-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhu Prasun

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR

ORAL ORDER

2 11-05-2023 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 147, 148, 149, 332,
333, 353, 188, 302, 307, 504, 283 and 120B of the Indian Penal
Code.

As per prosecution, during the process of removal of
encroachment, the mob comprising 41 named in FIR along with
100 to 150 unknown persons started pelting bricks/stones on



police personnel causing injury to 10-15 persons and death of a Driver Homeguard during treatment.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. Petitioner is not named in the FIR. The name of the petitioner has come into light, on the basis of confessional statement of others co-accused, which has got no evidentiary value in the eyes of law. There is no specific overt act against the petitioner. He further submitted that the others co-accused have already been granted bail by a Co-ordinate Bench vide order dated 29.04.2023 passed in Cr. Misc. No. 2328 of 2023. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 31.08.2022.

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, 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



A.C.J.M.-V, Darbhanga in connection with Manigachi P.S. Case
No. 177 of 2022.

(Sunil Kumar Panwar, J)

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