

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23463 of 2023

Arising Out of PS. Case No.-434 Year-2022 Thana- JAMUI District- Jamui

MD. FAHAD @ MD. FAHAD PARBEJ SON OF PARBEZ ALAM AT
PRESENT R/O MOHALLA- AZAD NAGAR, P.S. AND DISTRICT- JAMUI
AND PERMANENT R/O VILLAGE- SURARI IMAM NAGAR, P.S.-
HALSI, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Raj Kishor Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 12-05-2023 This case has been listed out of turn at the instance of the learned counsel for the petitioner through a mentioning slip on the ground that the BCA examination of the petitioner is scheduled from 15.05.2023. The date sheet and some papers have also been filed along with mentioning slip to show that the petitioner is a *bona fide* student.

Heard the learned counsel for the petitioner and learned APP for the State.

This is an application for regular bail on behalf of the petitioner for the offences alleged under Sections 147, 148, 149, 341, 323, 302, 504 and 506 of the Indian Penal Code, registered in connection with Jamui P.S.Case No. 434 of 2022



(Sessions Trial No. 56 of 2023).

As per allegation, the accused persons named in the FIR including the petitioner, assaulted the deceased. The specific allegation against co-accused Nazish and Danish is that they assaulted the deceased, but the allegation against other accused persons are general and omnibus and the case of the petitioner is exactly on similar footing to that of co-accused Arbaz @ Arbazuddin @ Md. Arbaz @ Md. Arbazuddin, who has been granted bail by a coordinate Bench of this Court in Cr.Misc. No. 13908 of 2023.

Considering the above facts and circumstances, especially the fact that co-accused person, on similar footing, as mentioned above, has been granted bail, let petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Jamui in connection with Jamui P.S.Case No. 434 of 2022(Sessions Trial No. 56 of 2023), subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make available available as and when required by the court.
2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before



the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

3. The learned court below, after release of the petitioner, shall verify the genuineness of the date sheet and the papers filed with mentioning slip and if it is found that the papers are fake, his bail bond shall stand cancelled.

Office is directed to send a letter to the learned court below immediately along with the xerox copy of the mentioning slip with all its enclosures.

(Nawneet Kumar Pandey, J)

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