

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21898 of 2023

Arising Out of PS. Case No.-619 Year-2022 Thana- SIWAN CITY District- Siwan

SAIYAD ALI S/O MOHAMMAD SALIM MIAN Resident of Village- Tajpur
Fulwariya, P.S.- Manjhi District- Saran (Chapra), at present resident of
Village- Kharkhanda, P.S.- Hussainganj, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 341, 324,
307/34 of the Indian Penal Code.

As per prosecution case, when the informant went to
work of labour at Station road, in the meantime, the co-accused
and this petitioner came near him and co-accused Saddam
Hussain assaulted by means of knife due to which he sustained
injury.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to previous enmity.



From perusal of F.I.R., it appears that the petitioner is alleged to be caught hold the informant and specific allegation of assaulting by means of knife is against co-accused Saddam Hussain. No specific overt act of assaulting is attributed against the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 8.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Siwan Town P.S. Case No. 619 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan.

(Sunil Kumar Panwar, J)

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