

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19279 of 2023

Arising Out of PS. Case No.-56 Year-2017 Thana- SANHAULA District- Bhagalpur

MD. MUSTAK Son of Md. Kadir Resident of Noor Nagar, P.S.-Sanhoula,
District-Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sanhoula P.S. Case no.56 of 2017 registered under sections 341, 323, 308, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, the four named accused persons including the petitioner herein are said to have abused and assaulted the informant with a *paina* (stick).

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No such occurrence as alleged has taken place. Even as per the F.I.R., the allegations are general and omnibus in nature. From the injury report (Annexure-2), it would transpire that the injury on the forehead has been found to be simple in nature while other



injuries are on non vital part of the body. The petitioner is in custody since 21.12.2022 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. being general and omnibus in nature, the injury on the forehead having been found to be simple in nature, the petitioner being in custody for 4 months since 21.12.2022 and investigation in the case having concluded with submission of chargesheet, the Court directs the petitioner to be enlarged on bail in connection with Sanhaua P.S. Case no.56 of 2017 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bhagalpur.

(Partha Sarthy, J)

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