

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23110 of 2023

Arising Out of PS. Case No.-323 Year-2021 Thana- SONO District- Jamui

NEHAL ALI @ MD. NEHAL ALI SON OF MD. MAKBUL ALI Resident of
village - Babudih, P.S. - Sono, Distt. - Jamui

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Jha

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Sono P.S. Case No. 323 of
2021 dated 17.11.2021 registered for the offences punishable u/s
341, 323, 324, 307, 504, 504/34 of the Indian Penal Code.

As per the prosecution case, the allegation against the
petitioner is of inflicting blow of sword on the head of Shakina
Khatoon, the co-accused Fajalu Ali assaulted with *bhujali* on
the back side of the head of Kherun Khatoon, the co-accused
Wasim Ali assaulted with pistol on the forehead of Parwej Ali.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this



case. There is general and omnibus allegation against the petitioner. There is a delay of five days in lodging the FIR. The doctor did not find any sharp cutting injury on the Sakina Khatoon and the injury of Parwej ali is also simple in nature. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 04.01.2023 passed in Cr. Misc. No. 35434 of 2022. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.02.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Jamui in connection with Sono P.S. Case No. 323 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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