

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42264 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- DARBHANGA District- Darbhanga

Md. Naushad @ Badshah @ Md. Raja @ Raja S/O Late Md. Yusuf @
Mohammad Ishuf R/O Village- Lalbagh, Basera Colony, Ps. Town, Dist.
Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 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 342, 302, 379, 323,
504/34 of the Indian Penal Code.

The allegation against the petitioner along with others
is of assaulting the son of the informant, when the informant
tried to intervene, the accused persons started also abused him
and told that his son had borrowed some money, which has not
been returned as yet. The informant's son has taken to the
hospital and during treatment, he died.

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. There is general and omnibus allegation against the petitioner of assaulting to the deceased and no specific overt act against him. Petitioner is only said to have a member of the mob. He further submitted that the other co-accused person has already been granted bail by a Co-ordinate Bench vide order dated 23.05.2023 passed in Cr. Misc. No. 25243 of 2023. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 28.03.2023.

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 Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Town P.S. Case No. 20 of 2023.

(Sunil Kumar Panwar, J)

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