

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29747 of 2023

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

MD. ABBAS @ LANGRA @ ABBAS Son of Md. Muslim R/o mohalla-
Ravanghat Gachhi @ Bazitpur Tarauni, ward no. 23, P.S. - Town, Distt. -
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38929 of 2023

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

SONI @ ARSHAD ALI S/O LATE AMJAD ALI R/O Mohalla- Ravanghat
Gachhi @ kilaghat Bazit Pur, Musapur, PS. Town, Dist. Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 29747 of 2023)

For the Petitioner/s : Mr. Baidya Nath Prasad, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 38929 of 2023)

For the Petitioner/s : Mr. Baidya Nath Prasad, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 19-08-2023 Heard the parties.

The petitioners are accuseds in connection with Town
P.S. Case No. 20 of 2023 registered for the offences under
sections 342, 302, 379, 323, 504 and 34 of the Indian Penal
Code lodged on 18.01.2023 by the informant, Kailash Mahto.

As per the prosecution story, the informant has



alleged that upon information, he went with his mother and saw that around a dozen ladies/boys are assaulting his son. When the informant intervened, it was narrated that he has taken money and is not returning. As there was injuries, was taken to Darbhanga Medical College Hospital but later shifted to private hospital. Accordingly, the FIR.

It is the case of the petitioners that omnibus allegation is against all the accused persons of assault, though they are in custody since 19.01.2023 and 18.01.2023, no T.I. Parade has been conducted, they do not have criminal antecedent and further one of the similar placed co-accused, Md. Naushad @ Badshah @ Md. Raja @ Raja has since been granted bail by a co-ordinate bench in Cr. Misc. No. 42264 of 2023.

Let the same be kept on record.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that the allegation of assault is there on the accused persons.

Taking into account the aforesaid submissions put forward by the learned Counsel for the petitioners as also their period of custody, do not have criminal antecedent and one of the similar placed co-accused, Md. Naushad @ Badshah @ Md. Raja @ Raja, has since been granted bail, as stated above, this



Court is inclined to extend them privilege of bail.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned C.J.M., Darbhanga in connection with Town P.S. Case No. 20 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty



to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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