

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44539 of 2023**

Arising Out of PS. Case No.-414 Year-2022 Thana- PIRPAINTI District- Bhagalpur

Shaikh Shakeel @ Md. Shakeel Son Of Late Shaikh Sajjad @ Late Sajjad  
Resident Of Village - Pirpainti Bazar, Pashchim Tola, P.S. - Pirpainti, Distt. -  
Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      28-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 324, 302, 379 and 34 of the Indian Penal Code.

3. Allegation against the petitioner along with other co-accused persons, is that, they assaulted the informant's wife by means of sharp edged weapon after snatching chain from her. After that, informant brought his wife to hospital where the doctor declared his wife dead.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. There is no eye witness of the alleged occurrence. It is further submitted



that nothing has been recovered from the conscious possession of the petitioner only on the basis of some earlier dispute, he has been dragged in this case. It is also submitted that petitioner is aged about 64 years of old and the allegations levelled against him seems doubtful. Moreover, the petitioner is languishing in judicial custody since 05.12.2022. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 21.07.2023 in Cr. Misc. No. 39153 of 2023.

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

6. Having heard learned counsel for the parties and considering the fact that the petitioner being an old person as well as his period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pirpanti P.S. Case No. 414 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 Judicial Magistrate, 1<sup>st</sup> Class Bhagalpur.

**(Sunil Kumar Panwar, J)**

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