

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48714 of 2023

Arising Out of PS. Case No.-62 Year-2023 Thana- GOPALGANJ TOWN District- Gopalganj

1. Munna Miyan @ Muna Alam @ Mohd Nizamuddin S/O Gafur Miyan R/O Village- Basdeela, Ps. And Distt. Gopalganj
2. Firoj Alam S/O Maksud Alam R/O Village- Tamkuhi Road, Ps. Tamkuhi Raj, Dist. Kushinagar (U.P.)
3. Afroj Ali @ Afroj Alam S/O Maksud Alam R/O Village- Tamkuhi Road, Ps. Tamkuhi Raj, Dist. Kushinagar (U.P.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

For the Petitioner/s : Mr.Shiv Sager Sharma, Advocate
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-08-2023 Learned counsel for the petitioners 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.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners have preferred this application for grant of regular bail in connection with Gopalganj P.S. Case No. 62 of 2023 dated 28.01.2023 registered for the offences punishable u/ss 147, 148, 149, 323, 324, 307, 302, 109 and 120B of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the co-accused persons holding with lathi, danda, iron rod and farsa are alleged to have assaulted the informant's son due to which he died.



5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. Nothing has been recovered from the possession of the petitioners. The co-accused person has already been granted bail by the Coordinate Bench of this court vide order dated 27.06.2023 passed in Cr. Misc. No. 31260 of 2023. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 29.01.2023.

6. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody and the allegation being general and omnibus, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Gopalganj Town P.S. Case No. 62 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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