

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48621 of 2023**

Arising Out of PS. Case No.-526 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

MD. AFJAL @ MD. AFJAL ALAM S/O FAJAL @ MD. FAJAL R/O
VILLAGE- PURAINI, PS. JAGDISHPUR, DIST. BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Anita Kumari

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

3 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323, 324, 326,
307, 406, 379/34 of the Indian Penal Code.

3. As per prosecution case, the informant hired the
petitioner as a truck-driver to driver his truck and informant is
the owner of the truck. It is further alleged that good fare of
truck about 80 to 85 thousand rupees has been received by the
petitioner in his brothers account from the concern party. It is
further alleged that on demand of the said money his mobile get
switched off. On 05.01.2022 at UCO Bank, informant met to the
petitioner and demanded his money upon which the petitioner
made knife blow on his back side and taken Rs. 32,000/- in



cash, a golden chain and a gold ring.

4. 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. The allegedly recovery of knife made before UCO Bank, but not from the conscious possession of the petitioner and allegation of stabbing knife is totally false and with an intention to make the case serious only. He submitted that the injury report could not be produced by the prosecution before the learned Court below. There is no any independent witness of the alleged occurrence. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 23.12.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court below in connection with



Jagdishpur P.S. Case No. 526 of 2022.

(Sunil Kumar Panwar, J)

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