

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48458 of 2023

Arising Out of PS. Case No.-735 Year-2022 Thana- PURNEA SADAR District- Purnia

Md. Wasim @ Wasim Akhtar, Son of Sajjad Ali, Resident Of Chimni Bajar,
School Tola, Police Station - Sadar, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sadar P.S. Case No. 735 of 2022 dated 26.09.2022 registered
for the offence(s) punishable under Section(s) 450, 147, 148,
149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code

3. The main submissions advanced by the learned
counsel for the petitioner are that the FIR itself goes to show
that at the time of commission of the alleged occurrence a
dispute arose in between both the parties on account of the
construction of a shop over a disputed plot which resulted in
free fight in between them and two persons from petitioner's
side and two persons from prosecution's side sustained injuries
though the informant's brother sustained grievous injury but the



same has not specifically attributed against this petitioner. Further submissions are that the petitioner has fair and clean antecedent and has been languishing in jail since 02.10.2022 and against him, the investigation has been completed and the alleged occurrence was not pre-planned and the same took place in spur of moment.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the genesis of the occurrence as well as petitioner's plea as to free fight having occurred in between both the parties which resulted in injuries to the persons of both the sides and also taking into account petitioner's clean antecedent as well as completion of investigation against him, this court is inclined to accept his bail prayer. Accordingly, let the petitioner named-above be enlarged on bail in connection with Sadar P.S. Case No. 735 of 2022 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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