

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51282 of 2022

Arising Out of PS. Case No.-88 Year-2022 Thana- PANAPUR District- Saran

Izhar Miya @ Izhar Alam Son Of Jujul Miya R/O Village- Semari, P.S.-
Panapur, District- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nalin Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 325, 307, 448, 427, 380, 504/34 of the Indian Penal Code.

The prosecution case in nutshell is that petitioner and co-accused persons were selling liquor in front of the clinic of the informant and when the informant forbade them then they entered into the clinic of informant and assaulted the informant's father and nephew. When the informant came to their rescue, he



was also assaulted by the petitioner and co-accused persons. It is also alleged that petitioner and co-accused persons also destroyed the computer kept in the clinic.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 23.06.2022. It is further submitted that there is case and counter case between the parties. There is no specific allegation of assaulting against the petitioner and the allegation levelled against the petitioner is general and omnibus. It is also submitted that similarly situated co-accused persons have been granted bail vide order dated 03.01.2023, in Cr. Misc. No. 42136 of 2022 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Panapur P.S. Case No. 88 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran.

(Sunil Kumar Panwar, J)

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