

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53702 of 2023

Arising Out of PS. Case No.-224 Year-2023 Thana- DARIYAPUR District- Saran

=====

SHAMSHUDDIN S/O LATE MD. HASID R/O VILLAGE- HUKARAHAN,
PS. DARIYAPUR, DIST. SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh

For the Opposite Party/s : Mr.Mohammad Sufyan

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 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, 354B,
452, 379, 504/34 of the Indian Penal Code and Section 7 of the
POCSO Act.

3. As per FIR, when the informant was standing on
the terrace of her house, then co-accused Tarwej Alam of her
village started trying to rape her by climbing on the roof of her
house. It is further alleged that the co-accused torn her cloth.
Thereafter, when the informant's family members went to the



house of co-accused for complaining, it is alleged that the petitioner along with other co-accused assaulted the informant's family members due to which, the informant side sustained injuries.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to land dispute. He has committed no offence. There is general and omnibus allegation against the petitioner and no specific overt act of assaulting against the petitioner. He further submitted that from the perusal of the impugned order, it is apparent that most of the person, who sustained injury, is simple in nature. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 09.05.2023.

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
Dariyapur P.S. Case No. 224 of 2023.

(Sunil Kumar Panwar, J)

arish/-

U			
---	--	--	--

