

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55946 of 2022

Arising Out of PS. Case No.-423 Year-2020 Thana- PHULWARISHARIF District- Patna

Md. Kaasim @ Kaasim Ansari Son of Md. Noor Ansari Resident of Village-
Murgiyachak, P.S.- Janipur, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Vasant Vikas, Advocate

For the Opposite Party : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 21-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Phulwari Shariff (Janipur) P.S. Case No. 423 of 2020 registered for the offences punishable under Sections 341, 323, 325, 504 and 506/34 of the Indian Penal Code and later on Section 302 of IPC was added.

As per the prosecution, the informant and his mother were assaulted by this petitioner and other co-accused persons by means of *lathi*, *danda* etc.

The main submissions advanced by Mr. Vasant Vikas,

learned counsel for the petitioner are that in the FIR there is no specific allegation against the petitioner and in between both the parties there is a case and counter case lodged on the same day and the petitioner has fair and clean antecedent and has been languishing in jail since 18.04.2022 and two similarly situated co-accused persons namely, Kalim Miyan @ Kalim Ansari and Seema Khatoon have been granted bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 16675 of 2021 and against the petitioner investigation has been completed.

Mr. Uday Chand Prasad, learned APP for the State has opposed the bail prayer.

In view of the facts, as stated above, and mainly the privilege of bail having been granted to two similarly situated co-accused persons as mentioned above, this Court is inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Phulwari Shariff (Janipur) P.S. Case No. 423 of 2020.

(Shailendra Singh, J)

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