

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63565 of 2023

Arising Out of PS. Case No.-88 Year-2022 Thana- DIGHALBANK District- Kishanganj

Shakir Alam @ Sakir @ Sakir Alam Son Of Late Patlu Resident Of Village-
Rangapani, Dahibhat, Ps- Dighalbank, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-10-2023 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 447, 341, 323, 324, 307, 379, 384, 504, 506/34 of the Indian Penal Code.

As per FIR, the allegation against the accused persons including the petitioner is of abusing and assaulting the informant and his brother, as a result of which they sustained injury.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to land dispute between the parties. As per F.I.R., wife of the petitioner assaulted to the informant namely, Md. Hasnain Reza on the head, but the



doctor has been found the injury of the informant is simple in nature. The petitioner assaulted to the brother of the informant namely, Hashan Raza on his head, but there was no any repetition of Basula and Dabia by the petitioner hence Section 307 of I.P.C. is not made out against him. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is languishing in judicial custody since 29.05.2023.

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 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 in connection with Dighalbank 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, Kishanganj.

(Sunil Kumar Panwar, J)

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