

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65335 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- PANCHRUKHI District- Siwan

Shahid Ali @ Shahid Hassan Son Of Late Tajmul Hassan @ Tajmun Hassan
Village- Chap Tola Teghra, Ps- Panchrukhi (SARAI Op), Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-10-2023 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 341, 323, 324, 307, 427, 447, 504, 506/34 of the Indian Penal Code.

As per allegation in the F.I.R., on the alleged date of occurrence, the petitioner along with co-accused Shahadat Hassan were cutting the guava tree which is situated in front of door of informant and when the informant with her husband protested them, the co-accused abused them and thereafter petitioner caught the informant's husband from back side and co-accused Shahadat Hassan assaulted with knife on the throat of her husband. It is further alleged that the petitioner along with accused persons also



abused the family members of the informant and broken the glass of window through the bricks and stones.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. Petitioner and informant are next door neighbour and due to dirty village politics the petitioner has falsely been implicated in the present case. There is case and counter case between the both the parties. It is further submitted that the injury report of informant's husband is simple in nature which is caused by co-accused Shahadat Hassan. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The specific allegation of assault on co-accused Shahadat Hassan and who has already been enlarged on bail by this Bench vide order dated 14.07.2023 passed in Cr. Misc. No.40618 of 2023. It is also submitted that petitioner is languishing in judicial custody since 23.07.2023.

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 Panchrukhi (Sarai O.P.) P.S. Case No.71 of



2023 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 C.J.M., Siwan.

(Sunil Kumar Panwar, J)

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