

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60937 of 2022

Arising Out of PS. Case No.-59 Year-2020 Thana- SHAHKUND District- Bhagalpur

Md. Ishtiyak Alam @ Chhotu S/o Asfak Khan @ Late Aftab Alam R/v-
Juakhar, P.S.- Shahkund, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
	:	Mr. Nazmul Hoda, Advocate
	:	Mr. Arvind Kumar, Advocate
For the Opposite Party/s	:	Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 25-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Shahkund
(Sajour) P.S. Case No.59 of 2020 registered for the offence
under Sections 147, 148, 149, 341, 323, 324, 325 354, 307, 379,
506 and 120B of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 25.05.2022.

The allegation against the petitioner is to assault the
brother of informant and his wife, while coming from *sasural*
(in laws house), alongwith other co-accused persons as a result,
wife of the brother of informant succumbed to the injuries and
brother of informant after receiving injuries was hospitalized.



Learned senior counsel appearing on behalf of the petitioner submitted that allegation as regard to the assault, as per version of the injured brother of informant, namely, Meharban Khan is appearing very much general and omnibus against this petitioner. It is also submitted that considering this aspect, similarly situated co-accused, namely, Md. Ebrar @ Laddan @ Abrar Khan has already been granted bail by one the learned Co-ordinate Bench of this Court through Cr. Misc. No. 16431 of 2022 vide order dated 11.10.2022. While concluding the argument, it is submitted that petitioner found involved in one more case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above and by taking note of the fact as nature of allegation appears very much general and omnibus against this petitioner coupled with the fact that charge-sheet has already been submitted, let above named petitioner is directed to be released on bail in connection with Shahkund (Sajour) P.S. Case No.59



of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge XI, Bhagalpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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