

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64917 of 2023

Arising Out of PS. Case No.-264 Year-2023 Thana- GAIGHAT District- Muzaffarpur

Shaukat Ali Rain @ Saukat Ali Rain, (Male), aged about 55 years, Son of Late Yakub Rain, Resident of Village - Ramnagar, P.S. - Gaighat, District – Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vijay Kumar Singh, Advocate
For the Opposite Party : Mr. Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gaighat P.S. Case No. 264 of 2023 dated 06.07.2023 registered for the offence punishable under Sections 147, 148, 149, 341, 342, 323, 324, 307, 504 and 506 of the I.P.C.

3. As per the prosecution case, on 05.07.2023, some altercation took place between the informant Md. Irfan and Md. Gulfam regarding music being played in the marriage. Thereafter, on 06.07.2023 at 10.30 A.M. at Ramnagar Chowk, the informant was abused and assaulted by the son of the petitioner and the co-accused persons and 20-25 unknown



persons. The informant in order to save his life entered the shop of Bhola Singh who saved him after closing the shutter of his shop. Police was informed, then the accused persons went away when police came. But on the same day, the petitioner and the co-accused persons and 10-15 unknown persons armed with lathi, rod and hockey stick came near the Choudhary Sweets where the informant was present. The petitioner started abusing the informant and ordered to assault him. The petitioner also assaulted on the head of Nikku Kumar with iron rod who came to save the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has seven clean criminal antecedents, out of which, in two cases, he has been acquitted, as stated in paragraph no. 3 of the bail petition. It is further submitted that in fact, the petitioner and his other family members came to attend the marriage ceremony of his relative in Ramnagar village and on 05.07.2023 at about 10.30 P.M., in the night, due to some dispute, the informant and his associates abused the petitioner's son and others. On protest, the son of the petitioner and others were assaulted by them. It is further submitted that Nikku Kumar sustained three injuries like abrasion wounds. He is in



custody in this case since 07.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Muzaffarpur, in connection with Gaighat P.S. Case No. 264 of 2023 with the condition:-

(I) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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