

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65006 of 2023

Arising Out of PS. Case No.-268 Year-2023 Thana- GAIGHAT District- Muzaffarpur

SHAUKAT ALI RAIN @ SAUKAT ALI RAIN SON OF LATE YAKUB
RAIN VILLAGE- RAMNAGAR, PS- GAIGHAT, DIST- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

**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. 268 of 2023 dated 9.7.2023 registered for the offences punishable u/s 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, the informant's son went to Ramnagar Chowk and was talking to Raushan Kumar and Md. Irfan, then the petitioner along with 25-35 persons armed with lathi, rod and bricks came and attacked Md. Irfan. When his son protested, the petitioner assaulted him on his head with iron rod causing head injury. When Raushan tried to



rescue, he was assaulted on his hand with rod. Further, it is alleged that one Rizwan assaulted with brick on the left eye and head of his son, causing severe injuries. Further, 10-18 named accused persons chased his son and assaulted him with lathi, rod and brick severely. The son of the informant was taken to the hospital for his treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that the petitioner is the elected Mukhiya of the Gram Panchayat and the present case was lodged against him due to political rivalry. It has further submitted that none of the independent witnesses have supported the allegation levelled against the petitioner. There are case and counter cases between the parties. The petitioner is accused in 7 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 19.7.2023 as stated in para 23 of the bail application.

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



there is abrasion on the forehead which is grievous in nature.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, 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 learned Court concerned, Muzaffarpur in connection with Gaighat P.S. Case No. 268 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)

Ajay Singh/-

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