

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72669 of 2023

Arising Out of PS. Case No.-176 Year-2022 Thana- GWALPARA District- Madhepura

MD. GAFFAR @ GAFFAR MOHAMAD son of Md. Naso @ Md. Nasir
Village- Jhahry Laldih w.No-12, Ps- Gwalpara Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Rashmi

For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-11-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in a case registered for the offence under Sections 147, 148, 149, 341, 323, 324, 325, 307, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, 15 persons are said to have assaulted the deceased with various weapons including hard blunt substance and sharp weapons. The deceased died after two days of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is further submitted that *Post-Mortem report* does not support the prosecution case of assault by 15 persons. Petitioner claims clean antecedent and he is in custody since 06.04.2023.



5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VII, Madhepura/concerned Court below in connection with S.T. No. 35/2023 arising out of Gwalpara P.S. Case No. 176 of 2022.

8. This application stands allowed.

(Sandeep Kumar, J)

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