

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71567 of 2022

Arising Out of PS. Case No.-956 Year-2020 Thana- MADHAURAH District- Saran

Md. Gaush @ Bayesh @ Faizal Alam Son of Md. Yunus Resident Of Village -
Jalalpur, P.S. - Marhaura, District – Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-03-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Marhaura
P.S. Case No. 956 of 2020 registered for the offence under
Sections 341/323/324/307/504/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 31.08.2022.

The allegation against the petitioner is to assault
informant and others alongwith other co-accused persons by
means of *lathi*, *rod* etc. and to cause head and other bodily
injuries, having intention to cause their death in the background



of land dispute.

Learned counsel appearing on behalf of the petitioner submitted that the allegation as regard to assault against petitioner is very much general and omnibus. It is further submitted that other co-accused person, having similar nature of allegation granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 20340 of 2021 vide order dated 13.07.2021. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel, Mr. Abhinav Ashok for the informant, while opposing the prayer of bail submitted that petitioner collectively assaulted informant and others.

Considering the facts and circumstances as mentioned above, as allegation as regard to assault is appearing very much general and omnibus, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Marhaura P.S. Case No. 956 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 learned Chief Judicial Magistrate, Saran at Chapra/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

U		T	
---	--	---	--

