

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72257 of 2022

Arising Out of PS. Case No.-189 Year-2022 Thana- DAGARUA District- Purnia

Md. Zafar Son of Late Hajrat @ Hajrat Alam Resident Of Village - Sakrail,
P.S.- Dagarua, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Hussain, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-03-2023 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 Dagarua
P.S. Case No. 189 of 2022 registered for the offence under
Sections 147, 148, 149, 341, 323, 325, 302, 504 and 506 of the
Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 03.07.2022.

The allegation against the petitioner is to commit
murder of employee/relative of informant alongwith other
named co-accused persons due to issue arises out of
employment of driver of the tractor, where assault was alleged



to be caused by *lathi, rod* etc.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner was falsely implicated in this case, where allegation as regard to assault is appearing very much general and omnibus in nature. It is further submitted that similarly situated co-accused, namely, Muslim has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 71655 of 2022 vide order dated 12.01.2023. 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, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, and by taking note of the nature of allegation as regard to assault, which is appearing very much general and omnibus against this petitioner, 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 Dagarua P.S. Case No. 189 of 2022 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,
Purnea/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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