

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76465 of 2023

Arising Out of PS. Case No.-318 Year-2021 Thana- LAUKAHA District- Madhubani

MD. RAJA HUSSAIN AZAD @ RAJ HUSSAIN S/O LATE MD MUSHA
VILLAGE- BHELHA, PS. LALMANIYA, DIST. MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Adv.
For the Opposite Party/s : Mr.Manoj Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 354(B), 504, 506, 379 of the Indian Penal Code.

3. Allegedly, all the accused persons, armed with deadly weapons, entered the courtyard of the informant and began to look for her husband and when she told about his absence, all the accused persons started abusing her. They also tried to outrage the modesty of informant. Hearing the alarm, when her husband came there to save her, he was also assaulted by them. They also snatched golden chain worth Rs. 50,000/- from her possession. Co-accused Guljar assaulted her *Bhaisur* by means



of *farsa* over his head.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Though, the allegation against the petitioner to assault injured Md. Imtiyaz and Md. Mukhtar, but as per the injury report, the injuries of the injured are found simple in nature. It is further submitted that after investigation, the police has filed final form against the petitioner, but differing from the final form, learned Court below took cognizance against him. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the police has filed the final form against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court



below where the case is pending/successor Court in connection with Laukaha (Lalmaniya) P.S. Case No. 318 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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