

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73426 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- PURNEA SADAR District- Purnia

MD. MUSTAQUE SON OF MD. LAIK @ MD. LAYEEK R/O AINA
MAHAL, SHANI MANDIR GULABBAGH, P.S.- PURNEA SADAR,
DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-04-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Purnea Sadar P.S. Case No. 59

of 2022 dated 25.01.2022 registered for the offences punishable

under sections 341, 342, 323, 325, 332, 333, 353 and 307 read

with section 34 of the Indian Penal Code.

As per the prosecution case, when the informant and

other police personnel surrounded the house of the accused of

Sadar P.S. Case No. 625 of 2021, the female members came out



and the accused Md. Mustaque fled away from the back door and the mother, brother and sisters of the accused persons attacked the police personnel and bite the teeth. All the accused persons got the accused person released from the police custody and caused hindrance in the discharge of official duty.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the petitioner has not caused any hindrance in the discharge of official duty. The petitioner is also accused in fifteen other criminal cases and he is on bail in thirteen cases as stated in para 3 of the bail petition. The petitioner is in custody since 21.06.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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, Purnea in connection with Purnea Sadar P.S. Case No. 59 of 2022, with conditions:-

1. 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 is liable to be cancelled.

2. If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

The application stands allowed.

(Chandra Prakash Singh, J)

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