

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78555 of 2023

Arising Out of PS. Case No.-146 Year-2021 Thana- BARACHATTI District- Gaya

Chotu Quraishi @ Mohammad Mujahid Kuresi @ Md. Mujahid Kuresi @
Mojahir Quraishi S/O Md. Abbas Kuresi R/O Village- Bajarkar, PS.
Barachatti, Dist. Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Barachatti P.S. Case No. 146 of 2021 instituted for the offences
under Sections 341, 342, 323, 325, 307, 379, 504/34 of the
Indian Penal Code.

3. As per prosecution case, the allegation against the
accused persons including the petitioner is of assaulting the
Informant by means of Lathi-Danda, Hockey Stick and iron-rod
due to which the Informant sustained grievous injuries. The
specific allegation against the petitioner is of assaulting the
Informant by means of iron rod on the head of the Informant
causing grievous head injury.



4. Learned counsel for the petitioner submits that the petitioner has earlier moved before this Hon'ble Court for grant of anticipatory bail and vide order dated 23.05.2023 passed in Cr. Misc. No. 15820 of 2023, the prayer was rejected by a Co-ordinate Bench of this Court with a direction to surrender within a period of four weeks from the date of the order but, from the impugned order, it appears that the petitioner surrendered in the court below on 11.08.2023 i.e. after lapse of four weeks.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that there is no specific allegation of any kind is attributed against the petitioner and the allegation levelled against him is omnibus in nature. He submits that the co-accused/Anzar has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 16.05.2023 passed in Cr. Misc. No. 14365 of 2023. He further submits that other co-accused/Samse @ Aafat has also been granted regular bail by the court below vide order dated 28.05.2022 passed in BP No. 655 of 2022. The petitioner has three criminal antecedents out of which he is on bail in two of them. The petitioner is languishing in judicial custody since 11.08.2023.

6. Learned A.P.P. for the State has vehemently



opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barachatti P.S. case No. 146 of 2021.

(Rudra Prakash Mishra, J)

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