

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3497 of 2023

Arising Out of PS. Case No.-128 Year-2020 Thana- BANMANKHI District- Purnia

MD RAIS S/O Navin Jan @ Navi Jan R/O Village- Belachand, Ward No- 06,
P.S- Banmankhi, District- Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh
For the Opposite Party/s : Mr.Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 06-04-2023 Heard the learned counsel for the petitioner and
the learned counsel for the informant.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 147, 148,
341, 323, 324, 325, 307 and 506 of the Indian Penal Code
registered in connection with Banmankhi P.S.Case No. 128 of
2020.

As per allegation, 12 accused persons named in the
FIR badly assaulted the informant and his son. The specific
allegation against the petitioner is that he inflicted knife blow on
the abdominal region of the informant's son, who became
injured.

The learned counsel for the petitioner has submitted



that it was a free fight between both the parties. There is case and counter case and members of the defense side including the petitioner have also sustained some injuries. The petitioner is a person of clean antecedent and is in custody since 16.08.2022.

On the other hand, learned counsel for the informant has submitted that there is specific allegation on the petitioner that he inflicted knife blows on the stomach of the informant's son and made him injured.

Considering the clean antecedent and period of custody and also the fact that there is case and counter case between the parties, let the petitioner above facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Banmankhi P.S.Case No. 128 of 2020 (G.R.No.1628 of 2020), subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make available available as and when required by the court.

2. If the petitioner is found involved in future in the similar type of



offence, the prosecution will have liberty to
file an application before the court below for
cancellation of the bail of the petitioner and
the learned court below will take decision in
accordance with law.

(Nawneet Kumar Pandey, J)

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