

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7512 of 2024

Arising Out of PS. Case No.-80 Year-2023 Thana- KATIHAR MUFFASIL District- Katihar

MD. MASRUL Son of Malelkastur Resident of Village-Nayatola Chanpi,
P.S.-Rautara, District-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S. Case no.80 of 2023 registered under sections 307, 447, 341, 323, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that four persons started to assault him. Thereafter 35-40 persons also came variously armed and brutally assaulted him leading to injuries. It is further stated that of the accused persons, the informant identified and named four accused persons including the petitioner herein.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No such occurrence as alleged in the F.I.R. has taken place. The manner



of occurrence is other than what has been narrated in the F.I.R. Against the allegation of brutal assault by so many persons, from the order of the learned trial Court it would transpire that the injuries have been found to be simple in nature. The three other F.I.R. named co-accused have been enlarged on bail vide order dated 10.1.2024 (Annexure-P/3 to this petition). The petitioner is in custody since 4.10.2023 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the nature of injury as has come in the order of the learned trial Court, the petitioner being in custody since 4.10.2023 and grant of bail to the three other F.I.R. named co-accused, the Court directs the petitioner to be enlarged on bail in connection with Muffasil P.S. Case no.80 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar.

(Partha Sarthy, J)

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