

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17052 of 2024

Arising Out of PS. Case No.-237 Year-2022 Thana- BAHERA District- Darbhanga

1. MD. PARWEZ @ MD. ANWAR AHMAD S/O MD. SHABBIR AHMAD R/O VILLAGE- BADARBANNA, P.S- BAHERA, DISTT.- DARBHANGA.
 2. MD. KAFIL @ GORKA @ KAFIL AHMAD @ MD. KAFEEL S/O MD. SHABBIR AHMAD R/O VILLAGE- BADARBANNA, P.S- BAHERA, DISTT.- DARBHANGA.
 3. MD. TAJUDDIN @ MD. TAJ S/O MD. SHABBIR AHMAD R/O VILLAGE- BADARBANNA, P.S- BAHERA, DISTT.- DARBHANGA.
- Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeshkumar Singh, Advocate
For the Opposite Party/s	:	Mr. Md. Mushtaque Alam, APP
For the Informant	:	Mr. Pankaj Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 31-07-2024 Heard learned counsel for the petitioners and learned
APP for the State assisted by learned counsel for the informant.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 147, 341, 323, 308, 379, 354B, 504 and 506 of the Indian Penal Code.

3. The petitioners in association of other co-accused is said to have assaulted the informant and others and they have also committed other offences in the manner as mentioned in the F.I.R.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place.



They are quite innocent and have been falsely implicated in this case. It is further submitted that the allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the petitioners and informant are on litigating terms. The petitioners have four criminal antecedents and have been languishing in custody since 03.05.2023.

5. Learned APP for the State assisted by learned counsel for the informant opposed the bail petition.

6. Considering the facts and circumstances of the case and the period of custody of the petitioners, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each 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 Bahera P.S. Case No.237 of 2022, subject to the following conditions :

(i) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.



(iii) The petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioners shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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