

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18937 of 2024

Arising Out of PS. Case No.-384 Year-2022 Thana- BAHERA District- Darbhanga

1. Md. Parwez @ Md. Anwar Ahmad @ Parwez S/O Md. Shabbir Ahmad @ Md.Sabbir @ Sabir R/O Village- Badarbanna, P.S- Bahera, Distt.- Darbhanga.
2. Md. Tajuddin @ Tazuddin @ Md. Taj S/O Md. Shabbir Ahmad @ Md.Sabbir @SABIR R/O Village- Badarbanna, P.S- Bahera, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeshkumar Singh
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-07-2024 Heard learned counsel for the petitioners,

learned counsel for the informant and learned APP for

the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 147, 341, 323, 308,

379 of the Indian Penal Code.

As per prosecution case, the allegation against

the named accused persons including the petitioner is

that they assaulted the informant by means of Khanti,



iron rod, iron chain and lathi due to which he sustained injury. It is further alleged that accused persons also snatched mobile, golden chain and cash of Rs. 20,000/- from the informant.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. Allegation against the petitioner No. 1 is that he assaulted the informant by means of lathi due to which he received hand injury and there is no specific allegation against petitioner No. 2. Chargesheet has already been submitted in this case. Petitioner no. 1 is languishing in judicial custody since 05.12.2022 and petitioner no. 2 since 24.12.2022. Moreover, similarly situated co-accused Md. Ejaj has already been granted bail vide order dated 03.07.2023, passed in Cr. Misc. No. 36562 of 2023 by this Court.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case *as well as period of custody*, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Bahera P.S. Case No. 384 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I, Benipur, Darbhanga.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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