

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14202 of 2024

Arising Out of PS. Case No.-482 Year-2023 Thana- HARSIDHI District- East Champaran

Amrullah Miya Son of Late Kurban Miya Resident of Village- Chadahiya,
P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Anuj Kumar, Adv.
For the Opposite Party/s :	Mr. Yogendra Kumar Singh, APP
	Mr. Fakruddin Ali Ahmad, Adv.
	Mr. Md. Tauqueer Azhar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Harsidhi
P.S. Case No. 482 of 2023 instituted for the offence punishable
under Sections 341, 323, 302 and 504/34 of the Indian Penal Code.

3. As per F.I.R., it is a case of assault due to which, the
grand-son of the informant, succumbed to injury.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case due to previous enmity. There
is general and omnibus allegation against the petitioner and no
specific overt act of assaulting against the petitioner. The specific
allegation against co-accused Md. Arshad that he started assaulting



with lathi, iron rod, phatta, bamboo slit and Md. Zikrullah Miyan is order giver. The other co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 08.11.2023 and 09.11.2023 passed in Cr. Misc. No. 72244 of 2023 and 72149 of 2023 respectively. Moreover, petitioner is languishing in judicial custody since 22.12.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties as well as period of custody of the petitioner, this Court is inclined to enlarge the petitioner on bail. The above named petitioner 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 the learned C.J.M., East Champaran at Motihari in connection with Harsidhi P.S. Case No.482 of 2023.

(Ramesh Chand Malviya, J)

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