

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14606 of 2024

Arising Out of PS. Case No.-158 Year-2023 Thana- JAHANABAD District- Jehanabad

MD. SAHZAD @ MD. SAHJAD @ BARAT @ BARATU S/O LATE MD.
SAHADAT HUSSAIN R/O MOHALLA- JAFFARGANJ, IN FRONT OF
NOORI MASJID, P.S AND DISTT.- JEHANABAD.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
	:	Mr. Mayank Raj, Advocate
	:	Mr. Ravi Ranjan, Advocate
For the Informant	:	Mr. Umesh Kumar, Advocate
For the State	:	Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with
Jehanabad P.S. case No. 158 of 2023 instituted for the offences
under Sections 341, 323, 325, 307, 506/34 of the Indian Penal
Code.

3. Prosecution case, in short, is that on the alleged date
and time of occurrence, the petitioner along with three to four
persons assaulted the informant on his waist and he fell down.
On hearing the noise, the brother-in-law of the informant came
to save him who was also assaulted by this petitioner on his
head as a result, his head was ruptured and he became



unconscious. It is further alleged that the brother-in-law of the informant was assaulted by other associates of this petitioner with the help of rod and *lathi*.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that the occurrence took place on a petty dispute and both the parties lodged case and counter-case. Learned counsel further submitted that both the parties sustained injuries. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.12.2023 and has four criminal antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that the injury sustained by the brother-in-law of the informant is grievous in nature.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the 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 Court below/concerned Court in connection with Jehanabad P.S. case



No. 158 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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