

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20793 of 2024

Arising Out of PS. Case No.-196 Year-2022 Thana- DERNI BAZAR District- Saran

Seraj Miya @ Meraj Miya @ Miraj Alam @ Meraj Alam Son Of Late Liyakat Ali @ Liyakat Miya @ Benga Miya Resident Of Village - Khanpur, Khajauta, P.S. - Derni, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ziaul Quamar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Derni P.S. Case No. 196 of 2022 instituted for the offence under Sections 341, 323, 324, 325, 307, 504, 506, 379 & 34 of the Indian Penal Code.

3. As per the prosecution case, accused persons including the petitioner have assaulted the brother of the informant by various means. It is further alleged that they have also assaulted the father of the informant with *lathi*, *danda* and one of the co-accused, namely, Bablu Miya took away Rs. 10,000/- from the pocket of the informant.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 25-11-2023. Petitioner is



stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is alleged that petitioner has assaulted the brother of the informant by means of iron rod and assaulted the informant by means of knife. It is submitted that there is case and counter case between the parties. It is also submitted that there is delay in lodging of the FIR. It is lastly submitted that there charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Derni P.S. Case No. 196 of 2022.

(Rudra Prakash Mishra, J)

Raj kishore/-

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