

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26046 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- BHARGAMA District- Araria

Rasid Son of Late Shahadat Resident of Villge- Akarthapa Bishariya, Ward
No. 7, P.S.- Bhargama, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Arvind Kumar Pandey (APP.84)

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

ORAL ORDER

2 05-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Bhargama P.S. Case No. 166 of 2023, instituted for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, petitioner along with other co-accused persons armed with weapons went to the house of the informant and assaulted him as well as his family members. During the course of assault, one of the co-accused Shamsher fired on the younger brother of the informant due to which he sustained fire arm injury and also assaulted him



with iron rod in his head.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. On perusal of the F.I.R. it appears that there is land dispute between the parties and title suit is pending in the Court below. It is further submitted that there are several persons from the accused side who have also received injuries. There is no any specific allegation against the petitioner, rather it is general and omnibus in nature. It transpires from the Impugned Order that the injuries received by the brother of the informant is simple in nature. The petitioner is in custody since 23.01.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account 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/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Bhargama P.S. Case
No. 166 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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