

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28121 of 2024

Arising Out of PS. Case No.-382 Year-2023 Thana- GOGRI District- Khagaria

Md Ulfat S/o- Late Khalil R/o- Village- Rampur, PS- Gogri, Distt- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Parmatma Singh
For the Opposite Party/s :	Mr. Aditya Narayan Singh.1
	Mrs. Mandira Sau

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 26-07-2024 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in the present case registered for the offence under Sections 341, 326, 302, 120B of the Indian Penal Code.

3. As per the materials available on record, the petitioner and other accused persons are members of a Biker Gang in Khagaria, and they call themselves as *King of Jamalpur*. The deceased was called by all the named and unnamed accused persons, and they were having some hot talks and all of a sudden, one *Vishal Paswan* stabbed the deceased and, thereafter, the deceased died.

4. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner rather it is



general and omnibus in nature. Petitioner is in custody since 22.10.2023. He further submits that there is no allegation of overact against the petitioner.

5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case, this application for regular bail is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria/concerned Court below in connection with Gogri P.S. Case No. 382 of 2023 subject to condition that:-

7(i). The petitioner will mark his attendance at the Gogri Police Station on every Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

7(ii). The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court through himself or through his lawyer, and on absence on two consecutive dates without sufficient reason, the bail bond shall be cancelled by the Court below.

8. The antecedent report which has come, the



petitioner has been shown to having a clean antecedent, but the learned counsel for the petitioner by filing a supplementary affidavit submits that petitioner has one criminal antecedent.

9. The Superintendent of Police, Khagari will ask for a show cause to the S.H.O. concerned who has given a clean antecedent report.

10. The Superintendent of Police, Khagaria is directed to control these kind of biker gangs so that peace prevails in the society. He should take appropriate legal steps in this regard against the members of the biker gang.

11. Let a copy of this order be communicated to the Superintendent of Police, Khagaria through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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