

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31408 of 2024**

Arising Out of PS. Case No.-1 Year-2024 Thana- TARABARI District- Araria

Md Niyaz @ Niyaj Son of Md. Jakir @ Jakir Miyan Resident of Village  
-Jamua Ward no. 08, P.S.- Tarabari, Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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

ORAL ORDER

2      24-04-2024                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in Tarabari P.S. Case No.  
01 of 2024, instituted for the offences punishable under Sections  
149, 341, 323, 324, 325, 307, 354(B), 379, 504 and 506 of the  
Indian Penal Code.

3. The prosecution case, in short, is that, petitioner  
along with other co-accused persons entered the house of the  
informant, assaulted the informant and her husband. The  
petitioner gave a *farsha* blow to the husband of the informant  
causing injury on head.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. There is delay of two days in lodging the F.I.R.



without any reasonable explanation which raises doubt over the prosecution story. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. It is further submitted that the injury received by the husband of the informant on his head is simple in nature caused by hard and blunt object. There is a case and counter case in between the parties. The petitioner is in custody since 01.03.2024 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 Tarabari P.S. Case No. 01 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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