

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34409 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- JAMALPUR District- Darbhanga

Md. Shamshad S/O Ghoghar R/O Village- Jamalpur, P.S- Jamalpur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Kamran, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Jamalpur P.S. Case No. 12 of 2024 instituted for the offences under Sections 341, 323, 324, 308, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the accused persons including the petitioner went to the place of occurrence duly armed with iron rod and assaulted the Informant due to which he became injured. The Informant sustained injury on his leg, back, hands and head and fell down on the ground.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case on account of grudge and political animosity. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has two criminal antecedent and is languishing in judicial custody since 12.03.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Md. Zakir has been granted bail by this Court vide order dated 09.05.2024 passed in Cr. Misc. No. 34382 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the prayer for bail being based on parity, let the petitioner, abovenamed, 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 Jamalpur P.S. Case No. 12 of 2024, subject to



the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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