

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34382 of 2024

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

Md. Zakir S/o Late Zamir R/o vill - Jamalpur, P.S. - Jamalpur, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Kamran, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Jamalpur P.S. Case No. 12 of 2024, instituted for the offences punishable under Sections 341, 323, 324, 308, 379, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, petitioner along with other co-accused persons 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 falsely been implicated in the



present case. Charge-sheet has been submitted in this case and charge has also been framed against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. It is further submitted by the learned counsel for the petitioner that there is no specific allegation against the petitioner, rather the allegation is general and omnibus in nature. Name of the petitioner has been dragged in this case due to grudge and political animosity. There are two injuries received by the informant are grievous in nature. The petitioner is in custody since 10.03.2024 and has got three criminal antecedents in which the petitioner is on bail.

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 Jamalpur P.S. Case No. 12 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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