

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34886 of 2024

Arising Out of PS. Case No.-66 Year-2022 Thana- NAANPUR District- Sitamarhi

MUSTAK KHAN @ CHHOTU KHAN @ MD. MUSTAQUE ALAM KHAN
@MD. MUSTAQUE KHAN SON OF LATE SHAFIULLAH KHAN
VILLAGE- KOILI @ KOILY, PS- NANPUR, DIST- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Krishna Kant Singh, Advocate
For the State	:	Mr. Satyendra Prasad, APP
For the Informant	:	Mr. Noushad Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in Nanpur P.S. Case No. 66 of 2022, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, this petitioner along with co-accused Ahnaz Khan assaulted Kamare Alam by brick and iron rod.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has been falsely implicated in this case. The injuries allegedly caused by this petitioner have been opined to be simple in nature. Petitioner is in custody since 13.03.2024.



5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions, injuries sustained by the inured and period of custody, the prayer for bail of petitioner is allowed.

7. Accordingly, let the above named petitioner 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 learned C.J.M., Sitamarhi, in connection with Nanpur P.S. Case No. 66 of 2022 with the following terms and conditions:

- (a) The petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.
- (b) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail

(Prabhat Kumar Singh, J)

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