

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36097 of 2024

Arising Out of PS. Case No.-278 Year-2022 Thana- PALASI District- Araria

Md. Md. Rozid @ Md. Rozid Alam @ Rozid S/o Md. Majeed R/o vill -
Shyampur ward no. 12, P.s. - Palasi, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 13-09-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. The petitioner seeks regular bail in connection with Palasi Police Station Case No. 278 of 2018, registered for the offence punishable under Sections 147/341/323/324/307/354-B/379/504/506 of the Indian Penal Code.
3. The prosecution case, on the basis of the First Information Report, is that on 29.08.2022, at about 08:00 PM, the petitioner, along with 15 other named accused persons, armed with deadly weapons, arrived at the house of the informant, started abusing him and his family members and upon objection being made by the informant, the accused persons including the petitioner assaulted the informant by fists, slaps, farsa, sword, etc. It has further



been alleged that the co-accused Nasim assaulted the informant by means of farsa and co-accused Sabir assaulted the informant by means of sword causing him injury. When the informant's younger brother, namely, Sarfaraz (deceased), came to informant's rescue, the petitioner and co-accused Jasim assaulted informant's younger brother (deceased) by means of iron rod, due to which he sustained serious injury on his person and during the course of treatment, informant's younger brother, namely, Sarfaraz died.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village politics. He further submits that the present First Information Report has been lodged after two days of the alleged occurrence. He further submits that the occurrence has taken place due to money dispute between the parties. He next submits that the petitioner is in custody since 20.02.2024 and charge sheet has already been submitted against the petitioner.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that there is direct allegation of



assault upon the deceased against the petitioner, I am not inclined to grant regular bail to the petitioner.

- 6. This application is, accordingly, dismissed.
- 7. Learned District Court is requested to expedite the trial at the earliest.
- 8. However, the petitioner may renew his prayer for bail after one year from today, if the trial does not show any progress.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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