

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47905 of 2024

Arising Out of PS. Case No.-428 Year-2023 Thana- KESARIA District- East Champaran

MD. IMRAN S/O LATE ABDUL MAZID R/O VILLAGE- BAITIYA JIRAT,
P.S- KESARIYA, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Adv.
For the Opposite Party/s	:	Ms. Anita Kumari, APP
For the Informant/s	:	Mr. Abhishek Kumar, Adv. Mr. Hemant Ray, Adv.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kesariya P.S. Case No. 428 of 2023 dated 31.08.2023 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, when the informant's son went to his land then the co-accused persons including the petitioner came there and Md. Mohibullah exhorted to kill the informant's son. The co-accused Ishteyaq assaulted the informant's son with an iron rod and the petitioner inflicted blow of sword on the informant's son and thereafter the co-accused threatened him



to kill.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged occurrence. The occurrence took place on 14.08.2023 but the FIR was lodged on 21.08.2023 and there is no explanation for this delay. As per the injury report of the injured, the injuries are found to be simple in nature. The petitioner has 13 criminal antecedents in which he is on bail in 10 cases as stated in para 3 of the bail petition. The petitioner is in custody since 09.04.2024.

5. Learned A.P.P. for the State and the learned counsel for the informant have opposed the bail petition of the petitioner

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Motihari, East Champaran in connection with Kesariya P.S. Case No. 428 of 2023, with a condition:-

(i) That the petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause,



the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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