

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54238 of 2024

Arising Out of PS. Case No.-136 Year-2024 Thana- WARISNAGAR District- Samastipur

Md. Mojim Sah son of Sayub Sah Village- Madhopur Ps- Wares Nagar Dist-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh
For the Opposite Party/s : Mr.Umanath Mishra

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

ORAL ORDER

2 19-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Waris Nagar P.S. Case No. 136 of 2024 dated 22.05.2024 registered for the offences punishable u/ss 147, 148, 341, 342, 323, 324, 307, 447, 354, 379, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have entered the informant's house and started abusing and assaulting her and they also disrobed her and snatched golden chain worth Rs. 1,50,000/- from her neck and took out Rs. one lakh from her house. When the informant's husband came to rescue, all the accused persons



abused him and the petitioner assaulted him on his head with iron rod due to that he became unconscious, thereafter, they took out Rs. 60,000/- from his pocket and fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is no repetition of blow. There is case and counter case between the parties. It is further submitted that the allegation against the petitioner is of assaulting the informant's husband on his head with iron rod whereas the injured sustained incise wound on his head which is grievous in nature. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.05.2024.

5. Learned A.P.P. for the State has vehemently 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 Court concerned, Samastipur in connection with Waris Nagar P.S. Case No. 136 of 2024, with a condition/s:-



(i). 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 cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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