

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59097 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- BAUNSI District- Araria

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1. Noorsad @ Noor Shaid Son of Abdul Rashid R/V- Village- Farkiya (Tilkobari), Ward No. 01, P.S.- Baunsi, Distt.- Araria
 2. Md. Ismail @ Ismail Son of Abdul Rashid R/V- Village- Farkiya (Tilkobari), Ward No. 01, P.S.- Baunsi, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti

For the Opposite Party/s : Mr.Jagdhara Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 12-09-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Baunsi P.S. Case No. 62 of 2024 dated 06.04.2024 registered for the offences punishable u/s 147, 148, 149, 341, 323, 324, 325, 307, 354B, 379, 504 of the I.P.C later on Section 302 of the I.P.C is added.

3. As per the prosecution case, the petitioners and the co-accused person holding lathi, danda and iron rod entered the house of the informant and the co-accused Md. Arsad inflicted blow of a *sharp hasua* on the head of the informant's brother with intent to kill. Thereafter, the accused persons also assaulted



the father of the informant with iron rod causing severe injury. When the informant came to rescue his father then the petitioner Md. Ismail assaulted the informant on his right hand and waist causing injury. They took away Rs. 2,00,000 and a mobile phone.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. There is no specific allegation against the petitioner no. 1 and only allegation of assault is levelled against the petitioner no. 2 Md. Ismail who assaulted the informant on his right hand and waist which is on non vital part of the body. Learned counsel has further submitted that there is no injury report on the record. The co-accused person has already been granted bail by this court vide order dated 20.08.2024 passed in Cr. Misc. No. 55890 of 2024. The petitioners have four criminal antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 07.04.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Baunsi P.S. Case No. 62 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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