

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64136 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- Kotwali District- Darbhanga

Md. Shahjahan @ Md. Shahahan @ Md. Emam @ Md. Ali Emam Son of
Late Shahzada Village- Purani Munsafi Tedhi Bazar Ps- Kotwali Dist-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Nilendu Kumar Choudhary
For the Opposite Party/s :	Mr. Nagendra Prasad
	Mr. Girish Chandra Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 11-12-2024 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on behalf of
the informant.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 149, 504, 324 and
307 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that
the petitioner is in custody since 22.06.2024 and he has
antecedent of three cases, but the cases have been instituted on
account of dispute relating to land. It is next submitted that the
informant alleges that her son had gone to smart bazar where
Md. Sahil and Sahnawaj started assaulting her son by lathi,
bamboo, farsa and knife. Thereafter, other accused persons



along with 8-10 unknown accused persons also assaulted her son and fled thinking he is dead.

4. The learned counsel for the petitioner submits that petitioner, being father of Md. Sahil and Sahanawaj, came to be implicated in the instant case by the informant, when informant is not an eye witness to the occurrence. It is also submitted that own brother of the petitioner namely Md. Samsher Alam @ Samsher had approached this Court seeking regular bail by filing Cr. Misc. No.60704 of 2024 and the same was allowed by an order dated 11.10.2024 after considering the case on merit and in detail, as such, based on parity seeks bail for the petitioner. It is submitted that petitioner is in custody since 22.06.2024, charge-sheet has been submitted, as such, no useful purpose would be served by keeping the petitioner in jail.

5. Learned A.P.P. and the learned counsel appearing on behalf of the informant opposes the bail application.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with



Kotwali P. S. Case No.19 of 2024.

7. The application stands allowed.

8. However, in the event, if the learned trial Court comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned trial Court shall forthwith cancel his bail bonds after recording reasons and shall take all coercive steps to ensure that petitioner is behind bar.

(Satyavrat Verma, J)

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