

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65314 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- ARIYARI District- Sheikhpura

Nasim Quraishi Son of Shahab Kuraishi Resident of Village - Hussainabad,
P.S. - Ariyari, District - Sheikhpura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Kumar Sinha
For the Opposite Party : Mr. Md. Mushtaque Alam
For the Informant : Mr. Rabindra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 30-09-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ariyari P.S. Case No. 132 of 2024 dated 08.06.2024 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 325, 448, 354B, 307, 379, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioner along with the co-accused persons attacked the informant's house. Upon asking, the co-accused Azad Qureshi said that if the informant's husband testifies in the F.I.R. No. 150 of 2023, they will kill the informant's husband. Upon which the co-accused (Azad Qureshi) said to kill all the people. On receiving order all



the co-accused entered the house and attacked the informant's family with swords, sticks, axes. The co-accused Azad Qureshi attacked Goru Qureshi and Kalim Qureshi on head with a sword which just touched the head of the Goru Qureshi. The co-accused Laddan Kuraishi attacked Karu Qureshi on the head with iron rod and his right hand got broken. The petitioner assaulted Md. Azaz with an iron road causing injury on his head. The co-accused, Chhotu Qureshi caught Naziba Khatun by her hair and slammed her on the ground upon which she became half naked. When the informant came to intervene the co-accused hit the informant on her head with butt of the pistol.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a case and counter-case between both the parties. As per the Injury Report, the injury no. 1 and 3 are simple in nature. The other co-accused person has already been granted bail by this court *vide* order dated 18.09.2024 passed in Cr. Misc. No. 62361/2024. It is further submitted that the petitioner has also sustained injury. The petitioner has two criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 04.08.2024.

5. Learned A.P.P. for the State 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 Court of A.C.J.M.-1st, Shekhpura in connection with Ariyari P.S. Case No. 132 of 2024, with the condition:-

(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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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