

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65299 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- BARAHAT District- Banka

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1. Md. Mukhtar @ Mohammad Mukhtar Ansari @ Mukhtar S/o- Abu Bakar Ansari Resident of village- Lilabaran Police station-Barahat District- Banka
 2. Md. Rajaul @ Rajaul @ Md. Rejaul Haque Son of Abu Bakar Ansari Resident of village- Lilabaran Police station-Barahat District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 19-11-2024 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners seek bail in Barahat P.S. Case No. 108 of 2024, instituted for the offences punishable under Sections 341, 323, 307, 325, 379, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioners along with other co-accused person assaulted him with sharp cut weapon due to which he sustained injury on his left hand and left side of his forehead.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material have been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that there is delay of two days in lodging the FIR. The allegations levelled against the petitioners are general and omnibus in nature. It is further submitted that the informant alleged about repeated blows by the petitioners but the doctor has found only two injury upon his body. The petitioners are in custody since 22.06.2024 and have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail *after framing of charge, if not already framed* on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barahat P.S. Case No. 108 of 2024.

(Rudra Prakash Mishra, J)

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