

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66440 of 2024

Arising Out of PS. Case No.-182 Year-2024 Thana- BAIRIYA District- West Champaran

Jalaluddin Mian @ Jaluddin Miyan Son of Alim Mian Resident of Village -
Siswa Sareya Man, P.S. - Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
447, 341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that on 28.05.2024 the younger son of
Malauddin came and drew a line on the newly constructed wall
of the informant which the informant objected when it is alleged
that the accused persons including the petitioner came and
petitioner caught the informant from behind while Malauddin
assaulted the informant by farsa causing injury on head and
thereafter Amin Mian assaulted the wife of the informant by



farsa on head causing injury thereafter all the accused assaulted the informant and Fulbaby Khatoon snatched Rs. 10,000/- from the informant.

4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant with an allegation that he caught the informant from behind while Malauddin Mian assaulted by farsa. It is submitted that son of Malauddin had scratched the newly painted wall of the informant on which an altercation took place between the informant and Malauddin and petitioner being cousin of the informant tried to pacify when Malauddin assaulted the informant. It is also submitted that even presuming what has alleged to be true, the petitioner is not alleged to have assaulted either the informant or his wife.

5. Learned A.P.P. opposes the bail application and submits that on account of assault by Malauddin the informant suffered grievous injury on head while his wife on account of assault by Amin Mian died during the course of treatment on the next day but then he is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the petitioner is not alleged to have assaulted the informant or his wife.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, 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 the learned Court below where the case is pending in connection with Bairiya P.S. Case No. 182 of 2024 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash/-

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