

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68884 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- ALINAGAR District- Darbhanga

Md. Tunna Son of Md. Ziyaul Haque Village- Mirzapur, P.S.- Alinagar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Adv
For the Opposite Party/s: Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-10-2024 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 483 and 484 of The Bhartiya Nagrik Suraksha Sanhita, 2023 (hereinafter referred to as the “BNSS, 2023”) praying for regular bail in connection with Alinagar P.S. Case No. 99 of 2024 lodged on 18.07.2024 under Section 126(2), 115, 118(1), 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as BNS).

3. As per the prosecution case, F.I.R. has been lodged against six named accused persons including the present petitioner with an allegation that all the accused persons in connivance with each other had attacked on Md. Sahnwaz with dagger on the stomach due to which his stomach ruptured.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that allegation against the petitioner is general and omnibus in nature. He further submits that petitioner was only the member of mob in Moharram Julus. Counsel further submits that antecedent of the petitioner is clean and he is in custody since 18.07.2024.

5. Learned APP for the State opposes the prayer for bail and submits that the injury has been caused by the sharp weapon on the lower abdomen part.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be granted bail *after framing of charge, if the charge is not framed yet* and on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1)(d) of BNSS to the satisfaction of S.D.J.M., Benipur in connection with Alinagar P.S. Case No. 99 of 2024 subject to the condition laid down under Section 480(3) of BNSS.

(Dr. Anshuman, J)

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