

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71720 of 2024

Arising Out of PS. Case No.-260 Year-2024 Thana- BETTIAH CITY District- West
Champaran

Md. Imteyaz S/o Late Bhola Miyan R/o Village- Baswariya, Ward No. 19,
P.S.- Bettiah (Town), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the State : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

2. The petitioner seeks bail, apprehending his arrest,
in connection with Bettiah (Town) P.S. Case No. 260 of 2024
dated 12.06.2024 registered for the offences punishable under
Sections 323, 341, 324, 307, 504, 34 of the Indian Penal Code.

3. As per allegation, the co-accused Md. Mosaheb had
assaulted the informant by brick and on exhortation of the
petitioner, he had given cut injury by *blade* on the neck of the
informant.

4. Ld. counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case on account of he being *mama* of the co-accused and even



as per the allegation, there is no overt act alleged against the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has got no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bettiah (Town) P.S. Case No. 260 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court



below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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