

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71987 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- CHANDRADIP District- Jamui

Md. Faijul Rahman @ Md. Faijur Rahman @ Osama (Age-26 years, Gender-Male), S/o Late Quaisar Alam, resident of Village- Kaitha, P.S. Chandradeep, District- Jamui,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Chandradeep PS Case No.66 of 2024 dated 06.04.2024, instituted under Sections 147, 148, 149, 341, 323, 324, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act.

4. The allegation against the petitioner is that the petitioner along with other co-accused came at the spot armed with various weapons. It is alleged that the petitioner along with other accused persons assaulted Md. Anwar Shahzad on his head, eye and other parts of the body by means of sword with intention to kill him.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that FIR has been lodged against twenty eight persons including the petitioner. Further submission is that there is no specific allegation against the petitioner, rather allegation against the petitioner is general and omnibus in nature. On account of land dispute between the parties, the petitioner has been implicated in this false case. Lastly, it is submitted that two criminal cases were pending against the petitioner in which the police did not find involvement of the petitioner and accordingly, did not sent up for trial and the same has been accepted by the Court below. Further submission is that co-accused Md. Sufiyan, Md. Asif @ Asif Mallick @ Asif and Md. Faisal Mallick have been granted anticipatory bail by this Court by order dated 28.08.2024 passed in Cr. Misc. No.55122 of 2023; co-accused, Mohammad Kutubuddin @ Md. Mohsin, has been granted anticipatory bail by this by order dated 28.08.2024 passed in Cr. Misc. No.53921 of 2024 and co-accused Md. Abdul Rahman @ Md. Abdur Rahman @ Abdul Rahman, Md. Ataur Rahman @ Luzain @ Badku @ Md. Luzain and Md. Rijaur Rahman @ Sheesh @ Chotku @ Md. Sheesh have been granted anticipatory bail by this Court by order dated 13.09.2024 passed in Cr. Misc.



No.66266 of 2024.

6. Learned APP has opposed the prayer for bail.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, 1st, Jamui, in Chandradeep PS Case No.66 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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