

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71442 of 2024

Arising Out of PS. Case No.-36 Year-2024 Thana- Bargaon District- Darbhanga

Md. Razi Ahmad Son of Sajjad @ Mohammad Sajjad, Resident of Village-
Bargaon, Police Station -Bargaon, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 16-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Bargaon P.S. Case No.36 of 2024, registered for the offences punishable under Sections 191(2), 126(2), 115(2), 118(1), 117(2), 109, 303(2), 324(5), 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, when the informant was at her shop alongwith her husband, in the meantime 29 accused persons armed with weapons came and started assaulting them with intention to loot the shop. Allegation against the petitioner is that he assaulted one Abdul Motin by *Gadasa* on his hand.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He further submits that the allegation against the petitioner is that he had assaulted Abdul Motin by *Gadasa* and the other accused persons also assaulted him by iron rod in the scuffle, however, the injury report shows that there is only one injury on the shoulder of the injured which does not corroborate the allegation of the prosecution. Learned counsel for the petitioner submits that there is case and counter case between the parties. He further submits that petitioner has one criminal antecedent, in which he is on bail, he is in custody since 19.07.2024 and charge sheet has already been submitted in this case. Petitioner undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Benipur, Darbhanga in connection with Bargaon P.S. Case No.36 of 2024, subject to the following conditions:-



(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(Sunil Dutta Mishra, J)

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