

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72906 of 2024

Arising Out of PS. Case No.-103 Year-2018 Thana- BHARGAMA District- Araria

Md. Jamshed @ Jamshed @ Sikandar @ Sikendar @ Sakendra @ Sikendra
Son of Md. Jabbar Resident of village- Paikpar ward no- 05, Police station-
Bhargama Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

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

2. This is the second attempt made on behalf of the petitioner for grant of bail in connection with Sessions Trial No. 332 of 2024 arising out of Bhargama P.S. Case No. 103 of 2018 registered for the offences punishable under Sections 341, 323, 324, 354B, 307, 504/34 of the Indian Penal Code, as earlier his prayer for bail was rejected considering the nature of injuries which is attributed against all the accused persons, including the petitioner. While rejecting the prayer for bail of the petitioner, liberty was granted to the petitioner to renew his prayer for bail after framing of charge.

3. Learned Advocate for the petitioner contended that



the date on which the prayer for bail of the petitioner was negated, charges had already been framed, that too on 04.07.2024 but on account of non-communication on the part of the petitioner's family, this fact could not be brought to the knowledge of this Court resulting into passing of such order. It is thus contended that be that as it may, now the petitioner has remained in custody for over a period of 10 months and the injury which was allegedly sustained to the husband of the informant is concerned, the same is found to be simple in nature. The petitioner undertakes that he will remain present on each and every date of the trial.

4. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner has actively participated in the crime and he along with others assaulted the informant and other persons who have sustained injuries.

5. Considering the submissions advanced and taking note of the fact that the petitioner bears fair antecedent and his undertaking before this Court that he will remain present on every date of the trial, let the petitioner, abovenamed, 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 2nd Additional Sessions Judge,
Araria in connection with Sessions Trial No. 332 of 2024 arising
out of Bhargama P.S. Case No. 103 of 2018, subject to the
condition that one of the bailors shall be the own/close family
members of the petitioner.

(Harish Kumar, J)

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