

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71060 of 2023

Arising Out of PS. Case No.-257 Year-2022 Thana- PAHARPUR District- East Champaran

Wakil Miyan, Son of Dheman Miyan, R/O Village- Kritpur Shahnagar, P.S.-
Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Paharpur P.S. Case No. 257 of 2022 for the offences registered
under Sections 147, 148, 149, 295, 323, 324, 325, 307, 153,
427, 504 and 506 of the Indian Penal Code.

3. Allegation against the petitioner is that he along
with other named accused and 15-20 unknown miscreants
making unlawful assembly attacked the members of Hindu
Community and took away utensils, grains, ornaments etc.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. There is no specific overt act alleged against the petitioner.
The allegation is general and omnibus that he is a member of



unlawful assembly and participated in the said occurrence. Petitioner has two criminal antecedents in which he is on bail. He is in custody since 10.08.2023. Charge-sheet has already been submitted in this case. There is no chance of tampering with the evidence or absconding of the petitioner.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Paharpur P.S. Case No. 257 of 2022.

(Sunil Dutta Mishra, J)

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