

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74790 of 2023

Arising Out of PS. Case No.-541 Year-2023 Thana- MUFFASIL District- West Champaran

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SOHRAB AKHTAR @ SOHARAB AKHATAR S/O SHEKH ABDULLAH
R/O VILLAGE- SHEKH DHURWA, P.S- MANUAPOL O.P, DISTT.-
WEST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Umesh Kumar Gupta, Adv.
For the Informant	:	Mr. Avinash Raj, Adv.
For the State	:	Mr.Rajiv Nayan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 04-01-2024 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Manuapool P.S. Case No. 541 of 2023 registered for the
offences punishable under Sections 341, 323, 324, 307, 354(B),
504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, petitioner assaulted the
informant's son (Md. Attaullah) upon his chest and head by
means of knife as a result of which he sustained injury. It is
alleged that when informant and his wife came to protect their
son, petitioner also assaulted the them with knife as a result of
which both sustained injury.

4. Learned counsel for the petitioner submits that



petitioner is adjacent to the house of the informant and both are agnates and some dispute has arisen between them on trivial matter and on the said account, petitioner has falsely been implicated in the present case. He further submits that all the injuries as indicated in the injury report of informant, his wife and his son, are simple in nature. Petitioner is in custody since 11.08.2023 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned counsel for the Informant and learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Bettiah



Muffasil Manuapool P.S. Case No. 541 of 2023, subject to following conditions:-

- (i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.
- (ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.
- (iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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