

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83173 of 2024

Arising Out of PS. Case No.-309 Year-2024 Thana- PARBATTa District- Khagaria

Md. Daud Sah, S/o Late Md. Moim Sah @ Late Moim Sah, R/o Village_
Barkatpur (Pipralatif), Maraiya, P.S. Parbatta, Distt. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 04-12-2024 1. Heard Mr. Ranjeet Kumar Singh, learned counsel
for the petitioner and Mr. Binod Kumar, learned APP for the
State.
2. The petitioner seeks regular bail in connection
with Parbatta P.S. Case No. 309 of 2024 dated 24.07.2024
registered for the offence(s) punishable under Sections 126(2),
115(2), 118(1), 109, 303(2), 352, 351(2), 351(3), 3(5) of the
B.N.S.
3. The main submissions advanced by the learned
counsel for the petitioner are that as per the allegation several
accused persons including the petitioner firstly attacked at the
informant and in that course one namely, Dayaram Singh
intervened and tried to save the informant but as per prosecution
he was assaulted by this petitioner which shows that the



petitioner had no intention to assault the said Dayaram Singh however, the injured Dayaram Singh sustained simple injury and his injury report has been filed with this petition as Annexure-2 which shows that he sustained only one simple injury and no other person sustained injury in the alleged occurrence. It is further submitted that though there are criminal antecedents of five cases against the petitioner but all relate to the minor offences of the I.P.C. in which the petitioner is on bail and in the present matter, the petitioner has been languishing in jail since 28.07.2024 and against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions and mainly the facts that only one person is said to have sustained injury in the alleged occurrence as submitted by the petitioner's counsel whose injury report has been filed with this petition and the same goes to show that the said injured sustained one simple injury and the petitioner has been languishing in jail since 28.07.2024 and the investigation has been completed against him, in my opinion, in the said circumstances, the petitioner deserves to the privilege of regular bail. Accordingly, let the



petitioner named-above be enlarged on bail in connection with
Parbatta P.S. Case No. 309 of 2024 on furnishing bail bond of
Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the
like amount each to the satisfaction of the Court concerned with
the following conditions:

- (1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial court and shall remain physically present as directed by the trial court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- (2) 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.
- (3) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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