

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86507 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- GURARU District- Gaya

Md. Nazir @ Bablu son of Md. Nezamuddin Village- Baju Bigha Ps- Guraru
Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Guraru P.S. Case no. 39
of 2023 registered under sections 307, 341, 323, 324 and 34 of
the Indian Penal Code.

3. As per the prosecution case, the informant states
that the accused persons including the petitioner herein over a
dispute relating to construction of a terrace assaulted the
informant and others. The petitioner with a *garasa* and Md.
Nezamuddin with a *lathi* are said to have assaulted Md.
Sadrudin leading to serious injuries.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. While the
petitioner and Md. Nezamuddin are both said to have assaulted
Md. Sadrudin, only one injury was found and that too is said to



be a lacerated wound which in the normal circumstance cannot be caused by *garasa* which the petitioner is alleged to be carrying. As such the said injury may be attributable to accused Md. Nezamuddin. The petitioner is in custody since 30.9.2023 and charge-sheet has been submitted in the case. He has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the nature of injury found on Md. Sadruddin, the submissions made by learned counsel for the petitioner, the petitioner having remained in custody for 5 months since 30.9.2023, not having any criminal antecedent and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Guraru P.S. Case no. 39 of 2023, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Gaya.

(Partha Sarthy, J)

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