

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85752 of 2024

Arising Out of PS. Case No.-357 Year-2024 Thana- MIRGANJ District- Gopalganj

Saddam Hussain S/o Bholi Miyan @ Ajajul Haque R/O- Vill- Line Bazar, P.S-
Mirganj, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Mirganj P.S. Case No. 357 of 2024, registered for the offences under Sections 109, 126(2), 115(2), 118, 303(2), 352, 351(2) and 3(5) of B.N.S. Act.

3. As per prosecution case, the petitioner and other co-accused persons caught hold the informant and assaulted him with knife. They also snatched a gold chain worth of Rs. 15,000/- and cash of Rs. 10,000/- from the informant. The occurrence took place in the background of some altercation which took place between the informant and co-accused Serajul.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. There is counter version and Mirganj P.S. Case No. 360 of 2024 has been lodged by the daughter of the petitioner for the same occurrence. There is no direct allegation against the petitioner and no specific overt act has been attributed to him. The injury report shows only lacerated wounds and the injuries were opined to be simple by the doctor. This falsified the allegation of assault by knife. Petitioner is in custody since 21.08.2024 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of any specific allegation against the petitioner and further considering the period of custody of the petitioner coupled with his clean antecedent and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.,-X, Gopalganj/concerned court, in connection with Mirganj P.S. Case No. 357 of 2024, subject to the condition laid down under Section 437(3) of the code of



Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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