

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6562 of 2024

Arising Out of PS. Case No.-112 Year-2023 Thana- JHAJHA District- Jamui

Makbul @ Makbul Ansari @ Md. Makbul Son Of Md. Musa Anshari @
Musa Mian Village- Dhobiapura Ps -Jhajha District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rakesh Kumar Sharma, Adv.
For the Opposite Party/s :	Mr. Ajay Kumar Jha, APP
For the Opposite party no.2 :	Mr. Prabhat Ranjan Singh, Adv.

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Jhajha P.S Case No. 112 of 2023 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 324, 354,
307, 325, 427, 504, and 506 of the I.P.C.

3. As per allegation in the FIR, It is a case of land
dispute between the parties. The petitioner and the co-accused
persons variously armed assaulted informant and his brother.
The specific allegation against the petitioner is to have assaulted
the informant's brother by way of axe.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further



submits that petitioner assaulted informant's brother caused injury on head by hard and blunt object and simple in nature. Learned counsel for the petitioner next submits that in similar situated condition one of the co-accused granted bail by the Co-ordinate Bench *vide* order dated 24.06.2023 in Cr. Misc. No. 34436 of 2023. It is also submitted that petitioner is in judicial custody since 09.11.2023. Petitioner has got no criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jhajha P.S Case No. 112 of 2023, subject to following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation fo the bail bond;

(v) the petitioner shall desist committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ramesh Chand Malviya, J)

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