

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.248 of 2024

Arising Out of PS. Case No.-380 Year-2023 Thana- JOKIHAT District- Araria

Ishaque S/O WAZUDDIN @ TAJUDDIN VILLAGE- KAKAN, TOLA
URHAN TOLI, WARD NO. 10, PS. JOKIHAT, DIST. ARARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 341, 323, 324, 325, 307, 506/34 of the Indian Penal Code.

3. As per allegation in the FIR, when the husband and father-in-law of the informant were returning to home from market then co-accused Jehangir gave a farsa blow on the head of her husband and petitioner has assaulted by means of axe on the head of her father-in-law.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. FIR is against 27 named accused and petitioner is one of them. There is delay of about three days in lodging the FIR. Injury report is not



in consonance with the prosecution story as allegedly, petitioner has assaulted to the father-in-law of the informant by means of axe whereas, injury report suggests that injury is caused by hard and blunt substance. Similarly situated other accused persons have already been enlarged on bail by another coordinate Bench of this Court vide order dated 12.12.2023 passed in Cr. Misc. No. 76221 of 2023. Petitioner has got no criminal antecedent and languishing in judicial custody since 5.9.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Jokihat P.S. Case No. 380 of 2023.

(Sunil Kumar Panwar, J)

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