

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8280 of 2025

Arising Out of PS. Case No.-308 Year-2024 Thana- PARBATTa District- Khagaria

MD. Shaukat @ MD. Saukat S/o MD. Suleman R/o Village- Dummar Kothi,
Ward no 7, P.S- Parbatta, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gaurav Kumar, Advocate
		Mrs. Kumari Archana, Advocate
For the Opposite Party/s	:	Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Parbatta P.S. Case No. 308 of 2024, registered for the alleged offences under Sections 191(2), 190, 126(2), 115(2), 109, 303(2), 352, 351(2), 351(3) of B.N.S., 2023.

03. As per prosecution case, the petitioner and other co-accused persons entered into the house of the informant and started assaulting the nephew of the informant. When the informant and her niece came for his rescue, they were assaulted with iron rod and butt of the gun. Further injury was caused to the son of the informant. When Nasima Khatoon came to rescue, she was also assaulted with iron rod. They took away Rs. Three lakhs and gold chain worth of Rs.60,000/- from the



house of the informant. The occurrence took place as the assailant had been pressurizing the informant to withdraw the case filed against them on 16.07.2024.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Altogether nine persons have been made accused in this case with general and omnibus allegation for assault on a number of persons. But only two victims have been examined and injury report of only informant and her niece are on record which show superficial injury which are simple in nature. There is case and counter case and Parbatta P.S. Case No. 310 of 2024 under Sections 191(2), 190, 126(2), 115(2), 118(1), 352, 351(2), 351(3) of B.N.S. has been registered against the informant and others. In the present case, except for offence under Sections 109 and 303(2) of B.N.S., all other offences are bailable in nature and there is no attempt on life of any one, offence under Section 109 B.N.S. is not made out. The petitioner is in custody since 19.09.2024 and he is having antecedent of one case in which he is on bail. Charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that serious injuries have been caused to the informant and her family



members and the petitioner always extends threats to the informant and her family members.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that only two persons are stated to be injured for whom the injury report is on record showing superficial type of injury and further considering the apparent lack of attempt on the life of any person and further considering the period of custody of the petitioner along with submission of charge sheet, the petitioner above named is directed to 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 ACJM-1, Khagaria/concerned Court in connection with Parbatta P.S. Case No. 308 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the 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 court below.
- (iii) In case of absence on three consecutive



dates or in violation of the terms of the bail,
the bail bonds of the petitioner will be liable
to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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