

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82092 of 2024

Arising Out of PS. Case No.-243 Year-2024 Thana- MANJHAGARH District- Gopalganj

Mirza Zishan @ Mirza Jisan @ Zishan Alam Son of Maksood Alam Resident
of Village - Madhopur, Police Station - Barharia, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Advocate
		Mr. Thakur Brajesh Singh, Advocate
For the Opposite Party/s	:	Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 29-01-2025 Heard learned counsel for the petitioner and Mr. Surendra Kumar, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109(1), 103, 3(5) of the Bharatiya Nyay Sanhita.

3. The case of the prosecution is that on 26.08.2024 at about 11:30 pm, the informant was going to Dharmparsa on his bike to see the fair along with his friends namely, Vinay Kumar and Govinda Kumar, meanwhile on the way Prakash Shrivastava, Mirza Zisan (the petitioner) Suraj Kumar attacked with a knife due to which Vinay Kumar got serious injury in the chest and the informant also attacked with a knife in the stomach due to which the informant also got injured.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. During course of investigation, in para 31, Salman has given his statement and has stated that Prakash Shrivastava, Suraj Shrivastava and Suraj Basphore assaulted Vinay with belt and punch. After this, Govinda, Prince and Sameer was threatened on gun point. Suraj Shrivastava caught Vinay and Prakash Shrivastava assaulted with knife in the chest of Vinay. When he tried to rescue, Suraj Basfore caught his hand and Suraj Shrivastava assaulted him with knife, he also received *lathi* blow. He has not named this petitioner. Sameer and Prince have also given their statement but they have not attributed any overt act against this petitioner. It is further submitted that the petitioner is languishing in judicial custody since 29.08.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

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 released on bail in connection with Manjhagarh P.S. Case No. 243 of 2024 on furnishing bail bond



of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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