

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88870 of 2024

Arising Out of PS. Case No.-221 Year-2024 Thana- MANJHAGARH District- Gopalganj

Julfkar @ Rufkar Ali @ Julfkar Ali @ Julfikar @ Julfekar S/O Raj
Mahammad Resident of Village - Dudhra, P.S- Goreya Kothi, District- Siwan.
At present Vill- Shekhtoly,P.S- Manjhagarh, Dist- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhanshu Prakash, Adv.

For the Opposite Party/s : Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-01-2025 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 Manjhagarh P.S. Case No. 221 of 2024, registered for the offences under Sections 126(2), 115(2), 118(1), 109(1), 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, petitioner and other co-accused persons armed with *danda* and *farsa* obstructed the measurement of land being done by the informant. Some altercation took place and thereafter, informant was assaulted by *farsa* by the co-accused and the petitioner assaulted the informant with *danda* and snatched a mobile phone worth Rs. 10,000/-. The other co-accused persons also assaulted the



informant and his family members.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Land dispute is admitted in the FIR itself and allegations have been exaggerated by the informant. The informant and petitioner side are agnates and there is counter version Manjhagarh P.S. Case No. 300 of 2023 which has been registered for the occurrence of same date and same time. Learned counsel further submits that in the present case FIR has been registered after delay of 19 days without any satisfactory explanation. The petitioner is in custody since 20.08.2024 and he has no criminal antecedent. Charge sheet has been submitted against the petitioner.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioner, his period of custody and submission of charge sheet against the petitioner, 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 XIIth Addl.



District and Session Judge, Gopalganj/concerned court, in connection with Manjhagarh P.S. Case No. 221 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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