

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49858 of 2014

Arising Out of PS.Case No. -74 Year- 2014 Thana -DORIGANJ District- SARAN

=====

Usman Mian @ Md. Usman S/o Lal Mohammad resident of village -
Dumari Adda, P.S. Doriganj, District - Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. A.K.Choudhary(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-04-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 147, 148, 149, 323, 324, 504 and 307 of the I.P.C and section 3/4 of Dayan Act.

Allegedly, all the accused persons named in the FIR including the petitioner came to the house of the informant having Farsa, Axe, Dab, Lathi and Danda and accused Jakir Mian gave Farsa-blow on the informant's head causing injury on the head of the informant and on the alarm being raised when Md. Ishaque Mian, Rahimuddin Mian, Nasruddin and informant's aunt Darudan Begum came to rescue then they were also assaulted by Farsa and Axe. Accused Rasul Mian gave Farsablow causing head

cut injury to the informant and accused Nazir Mian assaulted informant's brother Rahimuddin with Axe causing both hand cut injury and the accused persons also assaulted other inmates of the house. The injured were brought to the Sadar Hospital, Chapra and seeing the condition of Ishaque Mian and Rahmuddin both were referred to the P.M.C.H. Patna for better treatment.

Submission is of false implication and that there is case and counter case. The petitioner is an old man aged about 80 years and there is no specific allegation against him and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that against the petitioner there is no specific allegation.

In the facts and circumstances as stated above, considering age of the petitioner and further that he bears no specific allegation and as such the petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Saran at Chapra in Doriganj P.S. Case No. 74 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

Abhay/-

(Jitendra Mohan Sharma, J)

U		T	
---	--	---	--