

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44206 of 2015

Arising Out of PS.Case No. -94 Year- 2015 Thana -BELA District- SITAMARHI

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Jalim Akhtar @ Jamil Akhtar son of Late Md. Ainul Ansari,

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 30-10-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code.

It is alleged that three accused persons were abusing the informant on protest being made accused persons assaulted him with knife when informant tried to escape from the scene then co-accused Fonail Ansari caught hold the informant and the petitioner caused injury with knife on his neck. On alarm being raised, the accused persons escaped from the scene. It is further alleged that co-accused Md. Hasnain took out cash of Rs.10,000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioner that specific accusation against the petitioner is of causing injury on

the neck of the informant with knife whereas injury report suggests only incise injury of marginal size simple in nature on the chin of the informant. Though accusation of making assault with knife is against all the three accused persons. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that accusation is not corroborating with the injury report, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sitamarhi in connection with Bela P.S. Case No.94 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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