

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51434 of 2014

Arising Out of PS. Case No. -165 Year- 2014 Thana -KUCHAIKOTE District- GOPALGANJ

Reyaz Ahmad, Son of Mumtaz Ahmad, Resident of Village- Sirisiya, P.S.-
Kuchaikote, District- Gopalganj.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey (App)

For the informant : Mr. Ranjeet Kumar Pandey, Advocate

**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**

ORAL ORDER

2 03-07-2015

Heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in a case for the
offence under Sections 147, 148, 149, 323, 341, 325, 307 and 504
of the Indian Penal Code.

The informant stated that on 06.07.2014 her son
Saidur Rahman @ Raju was sitting on Chair in the Varanda. In
the meantime, accused persons named in the F.I.R. along with
20-25 unknown persons armed with Lathi, Danda and Iron Rod
came and started assaulting her son. It is also alleged that the
petitioner gave two Iron rod blows on the head of her son and
others also assaulted on the head and different parts of the body.

Learned counsel for the petitioner submits that there



is a case and counter case and in fact no occurrence as alleged by the informant Ambeya Khatoon has taken place. He submits that there is only one injury on the head of the injured and the same is simple in nature. He submits that one Asfaque Ahmad has been granted regular bail, whereas other co-accused, namely, Jamil Ahmad, Faiyaz Ahmad and Khalid Rizwan, have been granted anticipatory by this Court.

Counsel for the informant submits that there is no allegation of assault against those petitioners, who have been granted anticipatory bail by this Court. He further submits that Asfaque Ahmad, who is alleged to have assaulted with Iron rod on the head of the injured was granted regular bail on 13.05.2015 passed in Cr. Misc. No.17942 of 2015 by this Court. He further submits that the Medical Board was constituted on the order of learned Chief Judicial Magistrate and found different injuries on the person of the injured.

Having regard to the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. The prayer for anticipatory bail is rejected. However, if the petitioner surrenders before the court below (Chief Judicial Magistrate, Gopalganj) within four weeks from today and prays for regular bail, the same would be considered and disposed of

preferably on the same day without being prejudiced to the order
of this Court.

Uday/-

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

(Samarendra Pratap Singh, J.)

