

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34008 of 2016

Arising Out of PS.Case No. -93 Year- 2016 Thana -AKBARPUR District- NAWADA

Ekram @ Golu @ Md. Ekram Son of Md. Akhtar Hussain Resident of
Village- Balia Bugurg, P.S.- Akbarpur, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. (Dr.) Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-08-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with
Akbarpur P.S. Case No. 93/16 for offences alleged under Sections
341, 323, 448, 307, 379, 504, 34 of the Indian Penal Code.

Allegation is that petitioner assaulted the son of
the informant Iftekhar Alam by *gandasa* causing injury on his
head and he became unconscious. Petitioner also snatched the
mobile of other son of the informant Ahmad Hussain and along
with others snatched the golden chain of the wife of the informant.

It has been submitted by the learned counsel
for the petitioner that he is innocent and has falsely been
implicated in the aforesaid case. He submits that petitioner has no

criminal antecedent, as is evident from paragraph 3 of this petition and the occurrence took place due to land dispute. He further submits that the injury caused by the petitioner on one Iftekhar Alam @ Guddu has been found to be simple in nature caused by hard blunt substance, as such, Section 307 is not applicable against him and the allegation against the petitioner of assault by *gandasa* is not made out.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 learned Chief Judicial Magistrate, Nawada, in connection with Akbarpur P.S. Case No. 93/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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