

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40023 of 2016

Arising Out of PS.Case No. -114 Year- 2016 Thana -KADWA District- KATIHAR

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Md. Shahid Hussain @ Md. Shahid, Son of Late Abdul Rashid, Resident of
Village – Harnathpur, Police Station – Ballia-Belon, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Qumrul Hoda, Advocate.

For the Opposite Party : Mr. Kanhaiya Kishore, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 08-11-2016 Heard both sides.

The petitioner apprehends his arrest in Kadwa Balia-Belon
P.S. Case No. 114 of 2016 registered for the offences punishable under
Section 307 and other Sections of the Indian Penal Code.

The informant alleged that the petitioner and others
intercepted the informant and assaulted him with hard and blunt object.
The petitioner is alleged to have pressed the neck of the informant.

Learned counsel for the petitioner submits that the petitioner
earlier filed Kadwa Balia-Belon P.S. Case No. 113 of 2016 in which the
petitioner was injured and he got grievous injuries in his eyes. The
petitioner is alleged to have pressed the neck of the informant but the
injury found on the neck of the informant is simple in nature. Other
accused persons namely Manzar Rehan and Jahid have already been
enlarged on anticipatory bail in A.B.A. No. 1130 of 2016 by the learned
Sessions Judge, Katihar and the case of the petitioner stands on better

footing.

On the other hand learned counsel for the informant and the learned APP opposed the prayer for anticipatory bail of the petitioner.

Considering the facts aforesaid and the fact that prior to the present case the petitioner lodged Kadwa Balia-Belon P.S. Case No. 113 of 2016 in which the petitioner got grievous injury and allegation against the petitioner is that he pressed the neck of the informant and the injury found on the neck is simple in nature, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in Kadwa Balia-Belon P.S. Case No. 114 of 2016, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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