

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41728 of 2014

Arising Out of PS.Case No. -104 Year- 2014 Thana -AMDABAD District- KATIHAR

1. Md. Ismail @ Ismail Son of Ekramul Haque Resident of Village -
Gobindpur, Baharshal, P.S. - Amdabad, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. T.N.Thakur (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 29-01-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections 447/
341/323/ 324/326/504/506/34 of the Indian Penal Code.

Diary in this case was called for earlier which has since
been received.

Learned counsel for the petitioner submits that admittedly
the dispute between the parties occurred on account of a petty
reason regarding plucking of mango. It is submitted that though
the occurrence is of 19.06.2014 yet, the First Information Report
in the present case, was registered on 29.06.2014 and no plausible
explanation has been filed explaining the delay. It is further

submitted that the injury report which has come from Bhaluka P.H.C. also does not indicate injuries as explicitly stated in the First Information Report. He submits that in view of the vague and indistinct allegations made against the petitioner and also the fake injury report annexed to the case diary and that two cases have been registered for the same occurrence, one at Malda and other at Amdabad Police Station, he may be extended the privilege of anticipatory bail.

Considering the aforementioned facts and circumstances, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Judicial Magistrate, 1st Class, Katihar in connection with Amdabad P.S. Case No. 104/2014 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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