

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34431 of 2017

Arising Out of PS.Case No. -48 Year- 2016 Thana -KAJRAILI District- BHAGALPUR

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1. Md. Sarwar @ Md. Sarwar Ali, Son of Late Shamim Ali, Residents of
Village- Kajraili, Police Station- Kajraili, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 11-08-2017

Heard both sides.

The petitioner apprehends his arrest in Kajraili P.S.
case No. 48 of 2016 for the offences punishable under Section 307
and other Sections of the Indian Penal Code.

The informant alleged that Md. Sarwar, the
petitioner, Md. Afsar and Md. Akhtar were dragging his daughter
and when the informant asked the reason for dragging his
daughter, on the order of Md. Akhtar, Md. Afsar assaulted him
with sword on right side of his head. Md. Sarwar assaulted him
with iron rod. Md. Akhtar assaulted him with Lathi on his head.

The learned counsel for the petitioner submits that
Md. Akhtar and Md. Afsar, who are alleged to have assaulted the
informant with Lathi and iron rod, have already been granted



anticipatory bail by a coordinate Bench of this court vide order dated 01.07.2017 passed in Cr. Misc. No. 26189 of 2017. The case of petitioner stands on same footing. The petitioner is alleged to have assaulted the informant with iron rod on his head but only two injuries on the head of informant were found. Both the injuries are lacerated wound and the doctor after C.T. scan opined the injuries to be simple in nature.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner above named in the event of his arrest or surrender before the learned 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 learned Additional Chief Judicial Magistrate-14, Bhagalpur in connection with Kajraili P.S. case No. 48 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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