

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27983 of 2017

Arising Out of PS.Case No. -256 Year- 2016 Thana -PALASI District- ARRARIA

Md. Mojahid, Son of Late Ishaque, resident of Village- Suksena, P.S. Palasi, District- Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

[illegible]

The petitioner apprehends his arrest in connection with Palasi P.S. Case No. 256 of 2016, registered under Sections 341, 323, 325, 307, 379 and 504/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Araria.

The accusation is that due to quarrel in between children, the petitioner started to abuse to the informant Anwarul Haque, when he made protest then petitioner and five others came variously armed with weapon near the informant. At that time, this petitioner gave iron rod blow at the head of the informant Md. Anwarul Haque, when Md. Soyeb, brother of the informant, reached to rescue him then he was also assaulted by Sahauddin.



Learned counsel for the petitioner submits that, in fact, occurrence of Marpit took place in which petitioner side also sustained injury regarding which Palasi P.S. Case No. 260 of 2016 registered on the basis of the written report of Md. Raqibuddin. Further submission is that only one injury is said to be caused by the petitioner on the head of the informant, which is grievous in nature.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within six weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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