

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74568 of 2018

Arising Out of PS. Case No.-104 Year-2018 Thana- SAHAYAK NAGAR District- Katihar

Md. Rejabul S/o Fajlu Rahma, Resident of Village- Hajipur, P.S. Katihar
Sahayak, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 323, 324, 379, 307, 504 and 34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons were taking the bricks after breaking the wall of the informant and when informant protested, he was assaulted by them due to which he sustained injury.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The nature of injury is said to be simple. Hence,



no offence under Section 307 IPC is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar Sahayak P.S. Case No. 104 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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