

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23746 of 2018

Arising Out of PS. Case No.-4 Year-2018 Thana- NARHAT District- Nawada

Nayeem Hasan @ Nayeem Hassan Ansari, Son of Ali Imam Ansari @ Ali Imam, Resident of Village- Bari Pali, Police Station- Narhat, District- Nawadah.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hansraj

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-04-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 354A and 307 of the IPC.

The prosecution case, as per the written report of Bibi Sagufta Khatoon dated 30.12.2017, submitted to the Station House Officer, Narhat Police Station is to the effect that on 30.12.2017, at 8 A.M., the informant was preparing breakfast for the children, in the meantime, the father-in-law of the informant, Ali Imam Ansari and brother-in-law, Nayeem Hasan entered into her room and directed the informant to vacate the house, upon which, the informant, claiming to be the share of her husband, refused to vacate the same, when the father-in-law



of the informant pushed her on the ground by catching hold of her hair lock and ordered the petitioner to molest the informant. In the meantime, the petitioner assaulted with knife on the neck when the informant tried to ward off then she received injury on her hand. Thereafter, the petitioner tried to misbehave with the informant and the petitioner and his father started abusing the informant's husband when the informant went to save her husband then she was also abused and assaulted by her mother-in-law, Hazra Khatoon and sister-in-law (Nanad), Nafisa. They also threatened the informant to vacate house within two days.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of property share dispute. Though, there is specific accusation against the petitioner to have assaulted with dagger to the informant, but the informant received superficial simple injury caused by hard and blunt substance. A statement has been made in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

Learned APP submits that there is specific accusation of assault against the petitioner.

Considering the relationship between the informant and the petitioner, the genesis of the occurrence and the accusation being not corroborated with the medical opinion,



coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-V, Nawada in connection with Narhat P.S. Case No. 04 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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