

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.61326 of 2018**

Arising Out of PS.Case No. -12 Year- 2018 Thana -BITHAN BAZAR District- SAMASTIPUR

=====

Md. Saddam Alam @ Md. Saddam, Son of Md. Abid, Resident of Village-  
Bihtan, P.S. Bithan, District Samastipur.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Kundan Kumar, Advocate.

For the Opposite Party : Mr. Rajendra Prasad Nat, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      11-10-2018      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 341, 323, 337, 338 and  
307/34 of the IPC.

The prosecution story, in brief, is that due to business  
rivalry for opening new shop of quilt behind the shop of accused,  
some altercation took place in between the parties and in course of  
it, Md. Saddam with an intention to kill, assaulted with bricks on  
the head and face thereby the informant became injured.

It has been submitted by learned counsel for the  
petitioner that the petitioner has got no criminal antecedent. There  
is no allegation of tampering with the witnesses alleged against the



petitioner. Nature of injury is said to be simple. Hence, no offence under Section 307 of the IPC is made out. Rests 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.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Rosera, Samastipur, in connection with Bithan P.S. Case No. 12/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**

