

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.172 of 2018

Arising Out of PS.Case No. -267 Year- 2017 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Sadique Imam Khan @ Sadique Imam @ Princi, Son of Late Mohammad Khan, Resident of Village- Sansaraiya, Police Station- Bettiah Muffasil, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 15-01-2018 Heard Mr. Bashishth Narain Mishra, learned counsel

for the petitioner, Mr. Bimlesh Kumar Pandey, learned counsel for
the informant and the learned Additional P.P. for the State.

The petitioner apprehends his arrest in Bettiah Muffasil
P.S. Case No.267 of 2017 registered under Sections 323, 341, 307
and other Sections of the Indian Penal Code.

The informant alleged that tractor of Md. Zubair Khan
@ Vicky dashed the auto rickshaw of the informant thereafter
Zubair Khan called his man and assaulted him with different
weapons. Petitioner is alleged to have assaulted with dabiya, a
sharp edge weapon which hit Md. Taz on head.

The learned counsel for the petitioner submits that



there is counter case being Bettiah Muffasil P.S. Case No.266 of 2017. After accident, both sides entered into the scuffle. Mobassir is alleged to have assaulted with butt of pistol causing uprootment of tooth.

Mr. Bimlesh Kumar Pandey, learned counsel for the informant as well as learned A.P.P. opposed the prayer for anticipatory bail and submitted that prayer for anticipatory bail of Zubair Khan and Ziaul Khan who are alleged to have assaulted the informant and others have already been rejected by this Court vide order dated 22.09.2017 passed in Cr. Misc. No.40780 of 2017 but on perusal of the records that the petitioner is alleged to have assaulted with dabiya, a sharp edge weapon and a lacerated wound of 2 centimeters/ ¼ cm was found on the head of Md. Taz. The injury is said to have been caused by hard and blunt object.

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 Chief Judicial Magistrate, Bettiah, West Champaran in connection



with Bettiah Muffasil P.S. Case No.267 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

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