

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15616 of 2018

Arising Out of PS.Case No. -308 Year- 2017 Thana -CHHATAPUR District- SUPAUL

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1. Md. Azim, Son of Idrish, Resident of Village- Pariyahi, Police Station-
Chhatapur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-04-2018

Heard the learned counsels for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Chhatapur P.S. Case No. 308/2017 dated 27.08.2017 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 325, 326, 327, 307, 384, 354, 379, 452, 504 and 506 of the Indian Penal Code.

It has been alleged in the F.I.R. that the petitioner and others assaulted the informant and his two sons. So far as the petitioner is concerned, he is said to have assaulted the informant by an iron rod on his hand.

From the records, there does not appear to be any grievous injury on the person of the informant. The cause of the occurrence as has been stated in the F.I.R. is that the petitioner and others are accused in connection with Chhatapur P.S. Case No.



156/2016 and they were aggrieved by the informant and his sons deposing against them in the concerned Sessions Trial.

Mr. Arun, learned Advocate appearing for the petitioner, has submitted that merely because the petitioner has been suspected to be an accused in the case referred to above, he has again been made accused in the present case. This, he submits, is on account of existing enmity between the parties.

Regard being had to the nature of accusation in the present case, viz. assaulting the informant by an iron rod on his hand and there being no grievous injury on the person of the informant, this Court is inclined to grant anticipatory bail to the petitioner.

The petitioner above named is directed to be released on bail, in the event of his surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bond in the sum of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in connection with Chhatapur P.S. Case No. 308/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J.)

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