

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40473 of 2018

Arising Out of PS.Case No. -151 Year- 2017 Thana -PIPRA District- SUPAUL

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MD. AKRAM @ AKRAM, Son of Md. Kamruddin @ Kamruddin,
Resident of Village- Sakhua, P.S.- Pipra, District- Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amrit Abhijat, Advocate.

For the Opposite Party : Mr. Kalyan Shankar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 17-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 307, 379, 147, 148, 149,
341, 323, 324, 504 of the IPC.

The prosecution story, in brief, is that on 17.07.2017
at 7.00 A.M., the informant's Samdhi Mehuddin, his wife Hamida
Khatoon and other family members came to meet with his
daughter-in-law Bibi Shaharun Khatoon. In the meantime, Zahir
Hussain, Akram (petitioner), Kamruddin, Md. Ali Hussain, Jannat,
Abdul Bahaw, Ramjani, Alam, Ishlam and Akbar all armed with
Farsa, Spade, Spear and Lathi attacked him. On the order of
Akram (petitioner), Zahir Hussain assaulted with Farsa on the



head of Shaharun Khatoon for two to three times. The father of his daughter-in-law tried to save his daughter, Zahir Hussain assaulted with Farsa, Akram by Spade, Kamruddin by Dabia, Md. Ali Hussain by means of Spear and other persons with Lathi. They also assaulted his daughter-in-law and both became unconscious. Abdul Bahaw, Ramjani, Ishlam and Akbar took goods and jewellery worth Rs. 1,20,000/-. The injured was admitted in D.M.C.H.

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. It is case and counter case between the parties. The petitioner is alleged to be order giver. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out.

On behalf of the learned counsel for the State, it has been 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 C.J.M. Supaul, in connection



with Pipra P.S. Case No. 151 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

