

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68141 of 2018

Arising Out of PS. Case No.-462 Year-2018 Thana- FORBESGANJ District- Araria

Manjar Alam, S/o Abdul Nabab, Resident of Village- Purandaha, Ward No. 1,
P.S. Simraha (Farbasganj), District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Gopal Kumar Jha, Advocate.
For the Opposite Party : Smt. Suman Kumari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-12-2018 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 448, 341, 323, 324, 325,
307, 354(A)(B), 379, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that on 13.06.2018
at 7.00 P.M. in the evening while she alongwith her family
members was engaged in *Aftari*, in the meantime, petitioner
alongwith other co-accused persons entered into her house
having deadly weapons and started assaulted her. Co-accused
Mazhar on the order of co-accused Sahil, assaulted with *Dabia*
causing head injury and co-accused Md. Atik torn the clothes of



her sister. When her husband came to rescue her, co-accused with the help of Manjar (petitioner) pushed on the ground and outraged her modesty. They also committed theft of cash of Rs. 50,000 and ornaments worth Rs. 20,000/-. Thereafter, nearby people assembled there. The accused persons fled away.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. For petty reason, the alleged occurrence is said to have taken place. The petitioner has not assaulted the victim. Nature of injury is said to be simple. Hence, 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. Araria, in connection with Forbesganj (Simaraha) P.S. Case No. 462 of



2018 (G.R. No. 1955 of 2018), subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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