

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1959 of 2018

Arising Out of PS. Case No.-75 Year-2017 Thana- CHAKAI District- Jamui

Parwaz Mian @ Parvez Ansari @ Prawaz Ansari @ Parvez Mian, Son of
Lelun Mian, Resident of Sallaiya, P.S.- Chakai, District- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Opposite Party/s : Mr. RAJKISHORE SINGH

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-01-2018 Heard learned counsels for the petitioners and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 504/34 of the IPC.

The prosecution case, as per the written report of Warakat Ansari dated 01.07.2017 submitted to the Station House Officer, Chakai Police Station is to the effect that the informant was installing a hand-pump near his house and talking to his wife and mechanic, since, even though there is a government hand-pump but the petitioner being his brother did not allow him to use the same and had locked the hand-pump, hence the informant was compelled to install a hand-pump. It is also alleged that in the meantime, the petitioner being the brother of the informant assaulted the informant and his wife with axe



causing injury on the head.

It is submitted by learned counsel for the petitioners that for the dispute with regard to use of hand-pump, the accusation has been levelled. The petitioner is the own brother of the informant. The injury report of the informant suggest that no bony injury has been caused to the informant. The accusation is not corroborated by the injury report, as the accusation is of assaulting with axe, but injury has been found to be caused by hard and blunt substance, however, final injury report is not available on record. The informant has subsequently retracted from his initial version and filed a petition to that effect before the learned court below. There is no accusation of repeating blow, which gets further confirmed from the injury report.

Considering the nature of accusation and retracted version of the informant, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-III, Jamui in connection with Chakai P.S. Case



No. 75 of 2017, subject to the condition as laid down under
Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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