

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2007 of 2018

Arising Out of PS. Case No.-114 Year-2016 Thana- JOGBANI District- Araria

MD. ZAHANGIR @ ZAHANGIR, S/o Md. Azir, Resident of Village-
Bathnaha, Ward No.12, P.S.- Jogbani (Bathnaha), District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-01-2018 Heard learned Counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections
341/323/324/307/504/506/379/34 of the Indian Penal Code.

The prosecution case got initiated on filing of written
report by one Nasreen Khatoon to the Officer In-charge,
Bathnaha O.P., Jogbani Police Station, is to the effect that all the
accused persons variously armed came and caught hold of the
informant and pulled her down in the courtyard. It is alleged
against co-accused Md. Sagir that he assaulted on the head of
the the informant with dabiya, whereas, the petitioner Jahangir
assaulted on the neck of the informant with dagger. Thereafter,
the informant became unconscious. The accused persons



damaged the house and took away Rs. 5000/- and ornaments from the house of the informant. It is also alleged that after one hour of the occurrence when mother of the informant namely Mogikan Khatoon came at the residence of the informant, then accused persons also assaulted her.

It is submitted by learned counsel for the petitioner that the accusation has been levelled with regard to petty dispute between the parties. The informant has received two lacerated injuries of marginal size, which is simple in nature caused by hard and blunt substance, which completely negates the accusation of causing injury by sharp cut weapon. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur, learned APP for the State submits that there is specific accusation against the petitioner.

Considering the nature of accusation against the petitioner and to have assaulted the informant on her neck with dagger which is a sharp cut weapon, whereas, the injury report suggests the injury caused by hard and blunt substance coupled with 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 or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria, in connection with Jogbani (Bathnaha) P.S. Case No.114/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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