

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5316 of 2018

Arising Out of PS.Case No. -492 Year- 2017 Thana –NARPATGANJ (BATHNAHA) District-
ARRARIA

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1. Md. Shahansah @ Shahansah Son of Late Shaib Resident of Village-
Chakarwa P.S. Narpatganj (O.P. Bathnaha) District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Opposite Party/s : Mr. Sri B. N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 09-02-2018

Heard both sides.

The petitioner apprehends his arrest in Narpatganj
(Bathnaha) P.S. case No. 492 of 2017 for the offences punishable
under Section 307, 379/34 and other Sections of the Indian Penal
Code.

The informant, Rahmat Ali, named the petitioner
along with 21 other known and unknown persons and alleged that
on the order of Haider Ali, Md. Rizwan took rifle from Ansar and
fired. All the accused persons indiscriminately assaulted him.

The learned counsel for the petitioner submits that
there is counter version being Narpatganj (Bathnaha) P.S. case No.
491 of 2017. The informant received three injuries. First injury is



chest pain, second injury is left hand swelling and third injury is on hand. Two injuries are simple in nature. One injury is opined to be grievous on account of fracture of hand but no specific allegation of assault is made against the petitioner.

Considering the facts that there is a case and counter case and no specific allegation of assault is made against the petitioner, the petitioner above named in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj (Bathnaha) P.S. case No. 492 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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