

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61887 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- PARASBIGHA District- Jehanabad

Md. Arman @ Arman @ Md. Arman Alam, S/o Md. Kalamuddin, Resident of village- Nadaul, P.S.- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lallu Prasad

For the Opposite Party/s : Mr. Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-10-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,149,341,323,324,325,307,379 and 504 of the IPC.

The prosecution case as per the written report of Md. Asgar Hussain dated 5.5.2018 submitted to the SHO, Parasbigha Police Station is to the effect that in the year 1999 one Shahboob Alam and his brothers, one of them being father of the petitioner, on the assurance of selling their land took money but the land was not being transferred. On 30.4.2018 measurement of the land in question was being done which was protested by the petitioner and it is alleged that the petitioner assaulted the informant with a spade. When the brother and son of the informant came to rescue, they were also assaulted by the



accused persons and seven unknown persons.

It is submitted by learned counsel for the petitioner that in the background of a fraudulent agreement to sale between the uncle of the petitioner and the informant, the accusation has been levelled. It is further submitted that the injury of the informant is simple. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. It is further submitted that for the same accusation at earlier point of time petitioner side lodged Paras Bigha P.S. Case No. 68 of 2018 registered under Sections 147, 149,341,323, 324,325,307,379 and 504 of the IPC.

Learned APP submits that there is specific accusation against the petitioner.

Considering the accusation being not corroborated with the medical opinion as the petitioner is alleged to have assaulted the informant with a spade but the injury has been found to be superficial simple in nature, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



the learned JM Ist Class, Jehanabad, in connection with
Paras Bigha P.S. Case No. 70 of 2018 subject to the
conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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