

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3523 of 2019

Arising Out of PS. Case No.-294 Year-2018 Thana- CHAINPUR District- Bhabhua (Kaimur)

Sri Sarwar Mian @ Sarwar Mian @ Sri Sarwar Mian (Private Amin), Aged about 28 years, Gender-Male, son of Late Jalim Mian @ Late Md. Aalim, Resident of Village- Awnkhara, Police Station- Chainpur, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 25-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with Chainpur P.S. Case No.294 of 2018 registered under Sections 341, 323, 379, 427, 353, 504 and 506 read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that the petitioner is a private Amin and on the date of occurrence when the Anchal Amin was making wrong measurement of land he pointed out his defect in measurement as a result of which he got annoyed and started abusing and assaulting the petitioner. In order to save himself from wrath of the Anchal Amin, he also used some force which has been given



a colour that he used criminal force in order to deter a public servant from discharge of his duty. He submitted that the petitioner has got no criminal antecedent and having roots in the society, he is not likely to abscond or tamper with the evidence.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Considering the nature of allegation and the submissions made above, in the event of arrest or surrender before the court below the petitioner is directed to be released 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 Additional Chief Judicial Magistrate-II, Kaimur (Bhabua) in connection with Chainpur P.S. Case No.294 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md. S/-

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