

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13545 of 2019**

Arising Out of PS. Case No.-144 Year-2018 Thana- BAUSI District- Araria

MD. PERWAIZ @ MD. PERWEZ AHMAD, son of Md. Rais @ Md. Rayeesuddin, Resident of village- Mohani Ward No. 10, P.S.-Bounsi, District-Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

8      23-07-2019      The petitioner apprehends his arrest in connection with Bounsi P. S. Case No. 144 of 2018 registered under Sections 120B, 420, 467, 468 and 471 of the Indian Penal Code.

Allegation against the petitioner, as per the FIR, is that Bounsi P.S.Case No. 56 of 2018 was lodged against the father of the informant and others, in which this petitioner along with others manipulated C.T. Scan injury report and produced the same before the doctor of Raniganj showing the simple injury as grievous.

Mr. Vindhyachal Singh, learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated due to previous dispute between the parties. He further submits that allegation against the petitioner in the present case does not constitute offence inasmuch as the



informant complaints that the petitioner produced forged injury report before the doctor regarding injury caused to the petitioner in that case whereas admittedly, the injury report was signed by the doctor and was taken on record during investigation by the Investigating Officer and the petitioner has got no role to play. Mr. Singh further submits that a private complaint, due to previous enmity between the parties, regarding a forged document produced during the course of investigation, is not maintainable and this case has been filed in order to take revenge from the petitioner by the side of the informant.

On the other hand, Mr. Vivekanand Singh, learned counsel appearing on behalf of the informant, vehemently opposes the prayer for anticipatory bail and submits that due to forged injury report submitted by the petitioner, the father of the informant had to go inside the jail and is still in the custody and that all this happened due to forgery committed by the petitioner in police investigation.

After having heard learned counsel for the parties and taking into consideration the fact that there is no role of the petitioner in investigation conducted by the police and it is the duty of the police officer to collect injury report from the doctor, accordingly, I am inclined to grant anticipatory bail to the



petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned ACJM-VI, Araria in connection with Bounsi P.S.Case No. 144 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Anil Kumar Sinha, J)**

sujit/-

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