

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23338 of 2019

Arising Out of PS. Case No.-428 Year-2018 Thana- BAIRIYA District- West Champaran

SHAKEEL MIAN @ SHAKIL AHMAD S/o Late Ismail Mian R/o village-
Bagahi Tamoliya Tola, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 12-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State. Learned counsel for
the informant is also present.

The petitioner apprehends his arrest in connection
with Bairiya P.S. Case No. 428 of 2018 registered for the
offence punishable under Sections 147/149/341/323/324/307/
384/379/504/506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
occurrence came about on account of the certain dispute
between the parties with regard to the construction of shed
and that there was no premeditation or repetition of blows so
as to attract the provisions of Section 307 of the I.P.C. It has
further been submitted that whatever injuries are said to have
been inflicted, have been found to be simple in nature and,



therefore, the petitioner may be extended the privilege of anticipatory bail.

Learned counsel for the informant, however, submits that the informant is a widow lady and was injured on account of overpowering behaviour of the petitioner and, therefore, he could not be extended the privilege of bail as the informant will be severely prejudiced on account of his high-handedness.

However, considering the fact that the injuries purported to have been inflicted, have been found to be simple in nature, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bettiah, District-West Champaran, in connection with Bairiya P.S. Case No. 428 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that if, at all, there is any occurrence of similar nature at the hands of the petitioner, it shall be open to the informant/opposite party to take



appropriate steps for cancellation of bail.

(Anjana Mishra, J)

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