

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26769 of 2019

Arising Out of PS. Case No.-73 Year-2017 Thana- TARABARI District- Araria

Md. Gopli @ Md. Gopali, Son of Md. Masik Resident of Village - Baturbari,
Babhanbita Tola, Ward No. 14, P.S.- Tarabari, Dist.- Araria

... .. Petitioner

Versus

The State Of Bihar,

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Tarabari P.S. Case no. 73 of 2017, registered under
Sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the
Indian Penal Code.

The accusation is that in the evening of
12.09.2017, eight persons named in the F.I.R., including the
petitioner, came at the door of informant Md. Nabir and started
abusing him and caused assault by means of fist and slaps,
when the informant made protest and raised alarm then his son
Md. Sanjir Alam rushed in his rescue. Thereafter, Md. Saddam
and this petitioner caused injury through sharp cutting weapon
at the head of Md. Sanjir Alam in which he became
unconscious. At that time, they snatched silver chain from the



neck of son of informant and Rs. 4500/- has also been snatched from the pocket of the informant.

Learned counsel for the petitioner submits that while allegation has been made against the petitioner and co-accused Saddam to cause head injury through sharp cutting weapon, but only one injury was found on the head of the informant, which is simple in nature caused by hard and blunt substance. Further submission is that, in fact, prior to the present case, informant and others has committed occurrence of Marpit regarding which Tarabari P.S. Case No. 72 of 2017, under Sections 307 and 379 of the Indian Penal Code was registered due to that reasons only to save the skin, the present case has been filed by the informant.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Araria in connection with Tarabari P.S. Case No. 73 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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