

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39020 of 2019**

Arising Out of PS. Case No.-270 Year-2018 Thana- PALASI District- Araria

MD. TAHJIR S/o Md. Anish R/o village- Urlaha, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar
For the Opposite Party/s : Mr.Shyam Bihari Singh

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 26-06-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Palasi P.S. Case No. 270 of 2018, disclosing offences under Sections 447, 341, 323, 307, 379 and 504/34 of the Indian Penal Code.

It is evident from the FIR that there was previous enmity between the informant and the persons named in the FIR. It is alleged in the FIR that the accused persons assaulted the informant with an iron rod and took away certain valuables from his house.

Learned counsel, appearing on behalf of the petitioner, has submitted that, though there is allegation against the petitioner of having made assault with an iron rod, the injury report belies the allegation, as the injury has been found to have



been caused by a sharp-edged weapon. He has also submitted that the injuries have been found to be simple in nature.

Considering the aforesaid submissions, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned ACJM-V, Araria in Connection with Palasi P.S. Case No. 270 of 2018, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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