

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50515 of 2019

Arising Out of PS. Case No.-186 Year-2018 Thana- KATIHAR MUFFASIL District- Katihar

MD. SAHID RAJA Son of Md. Bashiruddin Resident of Village-
Makhadampur, P.S.- Muffasil (Katihar), District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

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

ORAL ORDER

2 16-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Katihar Muffasil P.S. Case No.186 of 2018 registered
under Sections 452, 341, 323, 325, 379, 354, 307 and 506/34 of
the Indian Penal Code.

The accusation is that on 21.08.2018 at about 09.30
P.M., the informant Ansari Khatoon, after taking the dinner, was
sitting at Veranda of her house. At that time, five persons,
named in the F.I.R., including the petitioner, due to old enmity,
entered the house of the informant and, thereafter, dragging and
catching the hair of the informant took her to the courtyard and
abused and caused assault to the informant through feets and



slaps. In that course, they tore the saree of the informant and snatched the silver chain and gold nose pin of the informant. When the husband of the informant rushed there to pacify the matter, then they pushed the husband of the informant. In the meantime, when Md. Amjad Hussain, the step son of the informant, rushed there and tried to pacify the matter, then this petitioner gave iron rod blow on his head causing blood oozing injury and due to which he became unconscious.

Learned counsel for the petitioner submits that, in fact, Katihar Muffasil P.S. Case No.24 of 2018 under Sections 376/511, 341, 342 and 323 of the Indian Penal Code and Section 4 of the POCSO Act was instituted against Md. Mustaque, the son of the informant of the present case, on the basis of fardbeyan of Md. Mirajin, the brother of the petitioner, due to that reason the family members of the informant came at the house of the petitioner and started putting pressure to withdraw the said case. In that course, the occurrence of “Maar-Peet” took place between the parties in which the petitioner’s side also sustained injury regarding which on the basis of the fardbeyan of the petitioner, Katihar Muffasil P.S. Case No.187 of 2018 was also instituted against the husband of the informant and others. Moreover, there is specific allegation against the petitioner to



cause injury at Md. Amjad Hussain, the step son of the informant, through iron rod but the injury as found in his person is simple in nature.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar, in connection with Katihar (Sadar) Muffasil P.S. Case No.186 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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