

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10722 of 2020

Arising Out of PS. Case No.-402 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

MD. TABARAK Son of Md. Ali Hassan Resident of Village - Bhelu Chak,
P.S.- Sadar, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 01-07-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State, through
Video Conferencing.

This application, for grant of anticipatory bail, arises
out of Sadar Police Station Case No. 402 of 2019, disclosing
offences under Sections 441/323/307/379/34 of the Indian
Penal Code.

The allegation against the petitioner is that the
petitioner, along with others, surrounded the informant and the
petitioner assaulted the informant by means of sword on his
head.

Learned Counsel for the petitioner submits that both
the parties are co-sharers and the petitioner is the own nephew
of the informant. He further submits that there is case and



counter case inasmuch as Sadar Police Station Case No. 403 of 2019 has been lodged by the petitioner against the informant and others. He, referring to the impugned order, submits that the injury caused to the informant has been found to be simple in nature.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are closely related and the injury sustained by the informant has been found to be simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga, in connection with Sadar Police Station Case No. 402 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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