

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12177 of 2020**

Arising Out of PS. Case No.-226 Year-2018 Thana- RIVILGANJ District- Saran

MD. ALI KUNJARA Son of Haider Ali Resident of Village-Revelganj,  
Pothian Bazar, P.S.-Revelganj, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

6      15-12-2020                      Heard learned counsel for the petitioner and learned  
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Rivilganj P.S. Case No. 226 of 2018 registered for the offence under sections 307, 147, 148, 341, 323, 324, 379, 504 and 506 of the Indian Penal Code.

As per allegation in the FIR, the accused persons including the petitioner herein are stated to have come variously armed and the petitioner is stated to have given a farsa blow on the head of the informant.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. There is case and counter case between the parties.



The correct version of the occurrence has been narrated in the FIR being Rivilganj P.S. Case No. 227 of 2018 (Annexure-2) lodged by Asmaa Begum. It is submitted that from the so called injury report, it would transpire that the same does not support the allegations made in the FIR as it is said to have been caused by hard and blunt substance. It is further submitted that with respect to the opinion on the nature of injury, the same is stated to have been reserved awaiting the report of C.T. scan.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties, it may be stated here that the nature of injury not being available in the case diary, by order dated 8.10.2020 the same was called for from the investigating officer of the case with a copy of the order being sent to the Senior Superintendent of Police, Saran. From the report dated 8.7.2020 received under the signature of Superintendent of Police, Saran, Chhapra addressed to the Assistant Registrar, Patna High Court, Patna, it has been stated that on being contacted, the informant stated that he was alright and had no problem, and he did not get the C.T. scan done.

In view of the facts and circumstances of the case and the submissions made on behalf of the petitioner, the Court is



inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Rivilganj P.S. Case no. 226 of 2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, VIII, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Partha Sarthy, J)**

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