

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17228 of 2020

Arising Out of PS. Case No.-723 Year-2016 Thana- BETTIAH CITY District- West
Champaran

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ARZOO SAIF @ ROCKY SAIF Son of Late Saifuddin Ahmad Resident of
Mohalla - Behind Raj Inter College, Ward No. 19, P.S.- Bettiah Town, District
- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarendra Nath Verma

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 15-09-2020 The present petition has been taken up for
consideration through the mode of Video
conferencing in view of the prevailing situation on
account of COVID 19 Pandemic, requiring social
distancing.

Heard the learned counsel for the petitioner
and the learned APP for the State.

This is an application for grant of anticipatory
bail in connection with Bettiah Town P.S. Case No.
723 of 2016 registered for the offence punishable
under Sections 341, 323, 324, 307, 504 and
379/34 of the Indian Penal Code.

The case of the prosecution in brief is that on



28.12.2016 at about 12:00 noon, when the informant was on his way to his house and had reached near Khudabaksh chowk, one four wheeler had dashed the motorcycle of the informant resulting in scuffle, whereafter the driver of the said four wheeler vehicle had assaulted one Deepak Kumar and when the informant had intervened, he was assaulted by the proprietor of Sony Tent House and his staff members with iron rod, bamboo, sword etc. It has been further alleged that the main accused is Dablu, who had assaulted the employer of the informant with dabiya on his head.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that that the prime accused, namely, Dablu, who is the proprietor of Sony Tent House, has already been granted bail by a coordinate Bench of this Court vide order dated 31.03.2017 passed in Criminal Miscellaneous No.



16770 of 2017.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the parity of the case of the petitioner with that of the co-accused person, who has already been granted bail by this Court as also taking into account the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Bettiah Town, West Champaran in connection with Bettiah



Town P.S. Case No. 723 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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