

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14575 of 2020

Arising Out of PS. Case No.-476 Year-2019 Thana- KISHANGANJ District- Kishanganj

MOHAMMAD SUBHAN @ ABDUL SUBHAN S/o Late Md. Alijaan
Resident of Village- Bomabasti, Bihari Tola Gachhapra, P.S.- Kishanganj,
Distt- Kishanganj (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dineshwar Tiwary

For the Opposite Party/s : Mr.Madhuri Lata

Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-07-2020 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 Mrs. Anita Kumari Singh, the learned APP for the State.

The petitioner apprehends his arrest in connection with Kishanganj P.S. Case No. 476 of 2019 for the offence punishable under Sections 307, 379 and other allied sections of the Indian Penal Code.

The petitioner and one other co-accused person are stated to have attacked the informant and assaulted him on his neck by iron rod and shovel, resulting in the informant sustaining injuries.



The learned counsel for the petitioner has submitted that the petitioner is aged about 80 years, has been falsely implicated in the present case and is innocent. It is further submitted that the injury sustained by the informant is simple in nature.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory 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 fact that the petitioner is aged about 80 years and the injuries sustained by the informant is simple in nature, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Kishanganj, in connection with Kishanganj P.S. Case No. 476 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Tiwary/-

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