

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28784 of 2020

Arising Out of PS. Case No.-222 Year-2019 Thana- KHARIK District- Bhagalpur

MD. MONU @ TAUSIF ALAM @ MD. TAUSIF ALAM S/o Panchu Sheikh
@ Shaikh Panchu Resident of Village-Telghi Tola, Kharik, P.S.-Kharik,
District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Kumar Sharma

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-12-2020 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 Shri Tarun Prasad Mandal, the learned APP, appearing for the State.

The petitioner apprehends his arrest in connection with Kharik P.S. Case No. 222 of 2019, for the offence punishable under Sections 341, 323, 337, 307, 504 and 506 of the Indian Penal Code.

The allegation is regarding the informant having gone to purchase meat at the shop of Md. Ansari on the alleged



date and time of occurrence, where the petitioner had started abusing the informant and subsequently he is stated to have hammered the head of the informant with iron chair, resulting in the informant receiving serious injury.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has referred to the injury report, annexed as Annexure-2 to the present petition, to show that the injuries sustained by the informant are simple in nature.

The learned APP appearing for the State has vehemently opposed the prayer for anticipatory bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the fact that the petitioner is having a clean antecedent and the injuries sustained by the informant are stated to be simple in nature, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from



today, the petitioner above-named, shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Naugachia, Bhagalpur in connection with Kharik P.S. Case No. 222 of 2019, subject to the conditions laid down under Section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

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