

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82540 of 2019**

Arising Out of PS. Case No.-306 Year-2015 Thana- CIVIL LINE District- Gaya

NASIM AHMAD @ DR. NASIM AHMAD @ NASIM AHMED Son of Late
Majju Khan @ Ghulam Mujtaba Khan Resident of Kalpna Compound, P.S.-
Civil Lines, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

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

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 17-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Civil Lines P.S. Case No. 306 of 2015, disclosing the offence under Sections 341, 323, 504/34 of the Indian Penal Code.

The occurrence had allegedly taken place in 2015 disclosing offences punishable under Sections 341, 323, 504 read with 34 of the IPC. It is alleged against the persons named in the FIR including the petitioner that they had assaulted the informant with the butt of the pistol resulting in cut injuries.

It is the petitioner's case that he is a doctor posted at Magadh Medical College, Gaya and runs an ultrasound clinic. According to him, the informant and his sons had earlier assaulted the petitioner's compounder leading to lodging of FIR,



which finally resulted in conviction of the sons of the informant and it is in retaliation that the present FIR has been registered.

On perusal of the FIR, I find that there is no specific allegation against the petitioner of making assault with the butt of the pistol.

Considering the nature of allegation, this application is allowed. Let the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Judicial Magistrate, Ist Class, Gaya in Civil Lines P.S. Case No. 306 of 2015, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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