

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85916 of 2019

Arising Out of PS. Case No.-216 Year-2019 Thana- DARBHANGA District- Darbhanga

MD. KAIF Son of Lal Mohammad Resident of Village-Sakmapul, Mirzapur,
P.S-Town, District-Darbhang.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Town P.S. Case No. 216 of 2019 registered for the offences punishable under Sections 341, 342, 323, 324, 307, 427, 506 and 34 of the Indian Penal Code.

The allegation against the petitioner as per FIR is that the petitioner, along with other co-accused persons, assaulted the informant by means of dagger causing him injury.

Learned counsel appearing on behalf of petitioner submits that altogether six persons have been made accused in the instant case. The allegation against all the accused persons is general and omnibus in nature and there is no specific allegation of assault by dagger against this petitioner. Learned counsel for the petitioner further submits that there is case and counter case



between the parties inasmuch as for the same incident the side of the petitioner has lodged Darbhanga Town P.S. Case No. 217 of 2019 in which the informant and others have been made accused. Learned counsel for the petitioner, referring to the impugned order, submits that the injury caused to the informant is not serious in nature.

Having heard learned counsel for the parties and taking into consideration the fact that there is case and counter case between the parties and the allegation against the petitioner is not specific and the same is general and omnibus in nature, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner, above named, 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, is directed to be released on anticipatory 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 Chief Judicial Magistrate, Darbhanga in connection with Town P.S. Case No. 216 of 2019, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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