

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14821 of 2021

Arising Out of PS. Case No.-154 Year-2020 Thana- BARGAINIA District- Sitamarhi

Mahamud Ansari, Son of Late Bakrid Ansari, R/o Village- Ashogi, Ward No.
-05, P.S.- Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Raju Kumar, Advocate
For the S t a t e	:	Mr.Arun Kumar Pandey, APP
For the Informant	:	Mr. Rameshwar Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 05-10-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Bairgania P.S. Case No.154 of 2020 (S.Tr. No.114/20) registered for the offence punishable under Sections 341, 323, 324, 326, 354A, 307, 504/34 of the Indian Penal Code, which is pending in the court of learned A.D.J.-X, Sitamarhi.

Against the petitioner, there is an allegation of brutal assault by means of *Dabiya* on Arman Ansari.

Petitioner's counsel submits that there is a case and counter case arising out of the same occurrence. The case lodged by the accused side of the instant case is Bairgania P.S. Case No.155 of 2020. Petitioner has falsely been implicated by getting the injury report manufactured. He is in custody now since 27.08.2020.

Referring to the case diary, learned APP as well as the learned counsel for the informant has opposed the prayer for bail. It has been pointed out that there are four injuries



corroborating the allegations made in the FIR. The same have been found to be grievous caused by sharp-cutting weapon. Injuries have been sustained on the parietal region, neck and shoulder.

The submission is that the petitioner should not be allowed the privilege of bail having regard to the specific allegation which has been corroborated during the course of investigation.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the learned APP and the learned counsel for the informant. Prayer for bail is rejected, for the present.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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