

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 28140 of 2020

Arising Out of PS Case No.-96 Year-2020 Thana- DARAUNDA District- Siwan

Mustaque Ansari @ Mustaque @ Md. Mustak, Gender-Male, aged about 60 years, Son of Late Niyakat Ansari, Resident of Village-Pinarthu Khurd, P.S.-Daraunda, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate
For the State : Mr. Md. Arif, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 28-01-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Javed Aslam, learned counsel for the petitioner and Mr. Md. Arif, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner apprehends arrest in connection with Daraunda PS Case No. 96 of 2020 dated 04.05.2020, instituted under Sections 341, 324, 307, 379 and 504/34 of the Indian Penal Code.

4. The allegation against the petitioner and others is of abuse and assault and specifically against the petitioner of giving knife blow on the nose and lip of Amrendra, brother of the informant.



5. Learned counsel for the petitioner submitted that as per the FIR itself, the genesis of the incident was due to parking in front of the shop of the petitioner by the informant. It was submitted that there is counter case also and the shop of the petitioner was burnt by the informant side. It was further submitted that the petitioner has no criminal antecedent.

6. Learned APP submitted that the injury on the brother of the informant on his nose is substantiated by the injury report and it was on a vital part and the weapon used was also a knife.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

8. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

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