

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39460 of 2020

Arising Out of PS. Case No.-220 Year-2020 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Md. Nazir, Son of Md. Allauddin, Resident of Village- Bhaluka Police
Station- K. Asthan, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Iqbal Asif Niazi, Advocate.
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 15-07-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office,

within four weeks of starting of the Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with K. Asthan P.S. Case No. 220 of 2020, registered under
Sections 147, 148, 149, 341, 323, 307, 354(B), 379, 504 and
506 of the Indian Penal Code, pending in the court of Additional
Chief Judicial Magistrate-IV, Darbhanga.

The accusation is that on 26.07.2020, at about 9
A.M., informant, Sabana Khatoon, had gone to the grocery shop



of Md. Akbar, situated in front of the house of Md. Abdul Kaiyum, for purchasing of grocery materials. At that time, 18 persons named in the FIR including the petitioner surrounded her saying that why her husband quarreled with children of their family. At that time, on the order of Abdul Kayum Faruki, Md. Mahfuj Alam caught hold and unfold her cloths. On raising alarm, her husband Md. Kurshid, brother-in-law Md. Mursid and father-in-law Md. Niyamat and Haji Mohamad came to save her then Md. Javed gave Frasa blow to her husband causing injury at his head. In the meantime, Benajir Begum snatched the gold chain from her neck. At that time, Md. Maskur gave bhala blow to her brother-in-law Md. Kurshid and Md. Samshad also gave farsa blow to her brother-in-law causing injury at his shoulder. Thereafter, Md. Harun and Md. Khudus took box containing cash of Rs.50,000/- from her house. At that time, Md. Nazir (petitioner) also caused injury by pelting bricks to Md. Haji Mohammad, in which, he sustained grievous injury near his left eye.

Learned counsel for the petitioner submits that there is specific allegation against the petitioner to cause grievous injury near the left eye of Md. Haji Mohammad by pelting bricks. Further submission is that petitioner has no criminal



antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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