

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40668 of 2020

Arising Out of PS. Case No.-38 Year-2020 Thana- CHAKAND District- Gaya

Md Saifullah aged about 19 years Son Of Kazim Resident Of Village-
Lakhno, Police Station-Chakand, District- Gaya

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ramakant Sharma, Sr. Advocate and Mr Rajesh Kumar, Advocate
For the Opposite Party	:	Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-02-2021 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor representing the State.

The petitioner apprehends arrest in a case registered
for the offence punishable under sections 341, 323, 307, 504,
506 and 34 of the Indian Penal Code.

As per the prosecution case, in course of playing
cricket one Md Khalid @ Golden pelted brick on the
informant's son causing him head injury. When the informant
and his elder son came in rescue, they were abused and beaten
by the petitioner and co-accused Md. Kazim by means of
Cricket bat.

Learned counsel for the petitioner submits that the
occurrence took place on the spur of moment during playing



cricket. The allegation of assault is not specific against the petitioner and the injuries in question are simple in nature. Petitioner has falsely been implicated in this case due to old enmity and village politics. He is a student of Intermediate and has to appear in the ensuing examination. Petitioner has got no criminal antecedent. Similarly situated co-accused Md.Khalid @ Golden has already been allowed provisional anticipatory bail by a co-ordinate bench of this Court vide order dated 5.1.2021, passed in Cr.Mis.No. 28243 of 2020.

In the facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate VI, Gaya in Chakand Police Station Case No. 38 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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