

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2866 of 2021

Arising Out of PS. Case No.-228 Year-2020 Thana- AAJAM NAGAR District- Katihar

NURUL ALAM @ MD NOOR ALAM SON OF KABIRUDDIN R/O
VILLAGE- TAJKHAND, P.S.- AZAMNAGAR, DISTRICT- KATIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 02-09-2021 Heard Mr. Rajendra Prasad Sah, learned Advocate for the petitioner and Ms. Nirmala Kumari, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Azamnagar P.S. Case No. 228 of 2020 dated 12.09.2020 instituted for the offences under Sections 341, 323, 379, 307, 447, 354, 504, 506 and 34 of the Indian Penal Code.

The accusation against the petitioner is of having assaulted the wife of the informant which has led to grievous injuries on her. There is a counter version of the occurrence also.

It has been communicated to this Court that the parties have settled their differences and have compounded the case. There is a delay of two days in



lodging the FIR.

In any view of the matter, since the victim who is said to have been assaulted by the petitioner has received grievous injuries, I am not inclined to grant anticipatory bail to him.

Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, the court below shall take into account the above noted facts, especially of the informant not interested in the prosecuting the petitioner any further and shall pass orders in accordance with law without being prejudiced by the fact that the present petition on his behalf has not been entertained.

The application stands disposed off accordingly.

(Ashutosh Kumar, J)

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