

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7563 of 2021

Arising Out of PS. Case No.-284 Year-2020 Thana- SHERGHATI District- Gaya

MD RASHID KHAN JAWED AKHTAR KHAN Resident of Village-
Karmanni, P.S.-Dobhi and District-Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Gajendra Kumar Singh, Advocate
For the State	:	Mr.APP
For the informant	:	Mr.Arvind Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-09-2021 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for the informant through

virtual mode.

Supplementary affidavit has been filed on behalf of
the petitioner. Same be kept on the record.

The present matter is being taken up out of turn on the
mentioning slip filed on behalf of the petitioner stating therein
that the petitioner has to appear for an examination in respect of
recruitment of Territorial Army Officer Recruitment, 2021. It is
further pointed out that the present application is pending since
27.01.2021. Let the mentioning slip filed on behalf of the
petitioner be kept on record.

Counsel for the petitioner is directed to remove the



defect(s), as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in connection with Sherghati (Dobhi) P.S. case No.284 of 2020 registered under Sections 147, 149, 341, 323, 384, 307 and 504 of the Indian Penal Code.

Allegation against the petitioner is that he assaulted the son of the informant by means of lathi, due to which he sustained injury on his head.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender



before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Sherghati (Dobhi) P.S. case No.284 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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