

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19075 of 2021

Arising Out of PS. Case No.-316 Year-2020 Thana- NAWADA District- Nawada

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SHAHBAAZ KHAN @ SAHNAWAJ KHAN SON OF ANWAR KHAN @
MD. ANWAR KHAN R/O MOHALLA- GONDAPUR, P.S.- NAGAR,
DISTRICT- NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra, Advocate.

For the Opposite Party/s : Mr.Anant Kumar 1, APP.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 10-01-2022 Heard Mr. Vibhuti Ranjan Sonvadra, learned
Advocate for the petitioner and Mr. Anant Kumar, learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Nawada P. S. Case No. 316 of 2020 instituted
for the offences under Sections 341, 323, 325, 307, 379, 354,
504 and 506/34 of the Indian Penal Code.

An occurrence is said to have taken place with respect
to dispossession of one of the parties from the cow-shed falling
in the land of one priest. In the occurrence which ensued, the
petitioner is said to have assaulted Md. Hakim, the informant of
this case on his head after he was immobilized by other accused
persons.



The injury received by Hakim (Informant) is reported to be simple in nature, though one of the injuries is on the vital portion (head) of his body.

Learned counsel for the petitioner has submitted that one Hanif is also said to have been assaulted by all the accused persons including the petitioner, but the nature of one of the injuries on him could not be assessed for want of further medical investigation.

Apart from this, it has been submitted that there is a counter version of the occurrence also which is earlier in point of time and which has been lodged by one Anwar, one of the co-accused persons of this case vide Nawada Town P.S. case No. 315 of 2020.

The petitioner himself stands injured in the aforesaid occurrence.

Regard being had to the aforesaid facts and taking into account the background of dispute between the parties, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada in connection with Nawada P.S. Case No. 316 of 2020 , subject to



the condition as laid down under Section 438 (2) Cr. P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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