

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13443 of 2022

Arising Out of PS. Case No.-213 Year-2021 Thana- SOHSARAI District- Nalanda

MD. AKIB @ MOHAMMAD AAKIB JAWED S/O MD. SAHIB R/o
Mohalla - Bichli Aran, Near Talab Sohsarai, P.S. - Sohsarai, District - Nalanda
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate
For the Opposite Party/s : Mr. Ravindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 296, 153(A), 337 and
338/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent.

The informant alleges that on 13.10.2021 at midnight
when he along with the members of the Durga Puja Committee were
moving in their locality and reached near the house of the petitioner,
he saw that the petitioner along with 3-4 associates were throwing
bricks from the roof of his house causing injury to the informant on
his left elbow and thereafter he became unconscious.

Learned counsel for the petitioner submits that petitioner



has been falsely implicated in the present case as it absolutely does not stand to reason that a person would become unconscious on account of injury on his left elbow by brick. He further submits that since the informant and the petitioner were known to each other then definitely the petitioner would not have committed the occurrence and thus creating evidence against himself. He next submits that no reason for the occurrence has been given in the FIR.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sohsarai P.S. Case No. 213 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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