

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23544 of 2021

Arising Out of PS. Case No.-126 Year-2020 Thana- AMAUR District- Purnia

Warish @ Waris Son Of Md. Nayeem @ Md. Naim R/O Village- Tajpur
Amor, Ward No. 06, P.S.- Amor, Dist.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate
For the Opposite Party/s : Mr.Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in connection with Amor P.S. case No.126/2020 registered under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner assaulted Md. Tahjud by means of lathi and co-accused Ibrahim assaulted the son of the informant, namely, Tahsin by farsa, due to which son of the informant sustained head injury.

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. As per the allegation, the petitioner alongwith other co-accused had assaulted Md. Tahjud. It has further been submitted on behalf of the petitioner that there is



no injury report on record in respect of Md. Tahjud, against whom there is allegation against the petitioner for assault. Similar statement has been made in paragraph 10 of the present application. 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. Prosecution has not come with clean hands. The case has been instituted after two days of the alleged occurrence. The delay has not been explained by the prosecution.

On behalf of the State, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Amor P.S. case No.126/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

