

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19014 of 2022**

Arising Out of PS. Case No.-84 Year-2020 Thana- DAGARUA District- Purnia

NAJMUL HAQUE SON OF TAFEJUL R/O VILLAGE- KOCHAILI
RAMPUR, P.S.- DAGARUA, DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 26-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 342, 323, 325, 307, 379, 504 and 34 of the Indian Penal Code.

The informant alleges that this petitioner assaulted him with an iron rod on his right leg causing injury.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent, it is next submitted that no doubt the injury is grievous in nature but then, the date of occurrence is 20.05.2020 and the *fardbeyan* was recorded on 25.05.2020 which creates doubt with regard to the veracity of the allegation and finally the FIR came to be instituted on 02.06.2020. Learned counsel next submits that even presuming



what is alleged is true, without admitting for the purposes of anticipatory bail, then the allegation of assault is on non-vital part of the body, further the FIR also does not disclose the motive or reason for the occurrence which further creates doubt with regard to the prosecution case.

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 trial court 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 trial court where the case is pending/successor court in connection with Dagarua P.S. Case No. 84 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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