

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28309 of 2022

Arising Out of PS. Case No.-569 Year-2021 Thana- KRITYANAND NAGAR District-
Purnia

MD RAKIB @ ABDUL RAKIB S/o Md. Jahangir Resident of Village-
Mankol, P.s.- K. Nagar (Sringer), District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-09-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 341, 323, 325,
379, 504 and 308 of the Indian Penal Code.

As per the prosecution case, the petitioner started
abusing and assaulting the informant with fist and leg. He also
assaulted on the head of the informant with a rod while he was
going to his house, but his head was not broken due to wearing a
cap and the petitioner also snatched Rs. 5,000 from the pocket
of the informant.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is no motive to commit the crime as alleged. He further submitted that as per the F.I.R. there is no injury on the head of the informant as the head was not broken. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.01.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that injury is stated to be grievous in nature. He has further submitted that the motive is not an essential ingredient for the crime alleged.

Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned Purnia, in connection with Krityanand Nagar P.S. Case No. 569 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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