

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31831 of 2022

Arising Out of PS. Case No.-504 Year-2021 Thana- LAHERIYASARAI District- Darbhanga

MD. KAISH Son of Md. Azam Resident of Mohalla-Rajtoli Bhigo, P.S.-
Laheriasarai, District-Darbhangha.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Iqbal Asif Niazi, Advocate

For the Opposite Party : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s) as pointed out by the office within a period
of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 323, 324, 307, 379, 504/34 of the
Indian Penal Code.

The prosecution case in short is that in the backdrop of
furniture work, an altercation took place between the parties and
in consequence thereof, the petitioner is said to have inflicted
sword blow on the head of the informant as a result of which,
the informant sustained injury. The other accused persons are
said to have assaulted the informant by means of iron rod, danda



etc.

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 allegation, sword is said to have been used by the petitioner in course of the occurrence. Other accused persons are said to have assaulted the informant by means of iron rod and Danda. From perusal of injury report (Annexure-2), it appears that there is no sharp cut injury upon the victim. The injuries are said to have been caused by hard and blunt substance. The allegation against the petitioner is not substantiated as per injury report.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Laheriasarai P.S. Case No. 504 of 2021, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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