

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44219 of 2021**

Arising Out of PS. Case No.-262 Year-2019 Thana- RAJAON District- Banka

MD. RABANI @ MD. RABBANI S/o Md. Shafique, Resident of Dhayharna,
P.S.- Rajoun, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Mr. Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 12-04-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Rajoun (Nawada) P.S. Case No. 262 of 2019 registered for offence punishable under sections 341, 323, 308, 379, 504, 506/34 of the Indian Penal Code.

As per allegation, the informant prohibited the co-accused Md. Khalid @ Kali @ Md. Akhtar and Md. Akhtar from selling toddy, whereupon they started assaulting him. There is allegation against Md. Aslam that he assaulted the informant on his head with *Dabiya*.

The learned counsel for the petitioner has submitted that there is no allegation against the petitioner to assault the informant, rather there is only allegation that he snatched



Rs.46,900/- at the point of three-nut gun, which is ornamental. He has also submitted that co-accused Md. Khalid had earlier lodged a case against the informant as Rajoun (Nawada) P.S. Case No. 120 of 2019, in which, the petitioner was a witness. Due to which, the petitioner has falsely been implicated in this case. He has further submitted that the present petitioner is a person of clean antecedent.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun (Nawada) P.S. Case No. 262 of 2019, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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