

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46244 of 2021

Arising Out of PS. Case No.-100 Year-2020 Thana- ARARIA District- Araria

MD. ISTIAQUE Son of Md. Haseeb Resident of Village - Majgawan ward
no. - 03, P.S. and District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2022 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 Araria P.S. Case
No. 100 of 2020 registered under Sections 147, 149, 341, 323, 379,
504, 506/34 of the Indian Penal Code.

Allegation against the petitioner is of inflicting farsa blow
intending to take life of informant due to which, he sustained
bleeding 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 been falsely implicated in the present case. So far allegation of
Section-379 of the Indian Penal Code is concerned, the same is



alleged against the co-accused namely Md. Qasim. The petitioner is alleged to have given farsa blow upon the victim. There is no injury report in support of the allegation made in the FIR. The case has been instituted after six days of the alleged occurrence. The delay in instituting the FIR 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 aforesaid 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 bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 100 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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