

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58719 of 2021

Arising Out of PS. Case No.-30 Year-2020 Thana- AMAUR District- Purnia

Nazish S/O Sarwan @ Md. Sarwar @ Sarbar Alam R/O Kohabra, P.S-
Jalalgarh, District-Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Adv.

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-06-2022 Heard.

The petitioner apprehends his arrest in connection with Amour P.S. Case No. 30 of 2020, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal.

The allegation is regarding the accused persons including the petitioner herein, variously armed, having arrived at the house of the niece of the informant, whereafter the petitioner had given a sword blow on the head of the informant, however, he had sustained injury on the finger of his left hand, while he was trying to save his head by use of his hand. It is also alleged that the accused persons had assaulted



the other family members of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that the injury report, which has been annexed as Annexure-3 to the present petition, would show that the informant has sustained simple injury, hence, a lenient view of the matter can be taken, more so since the petitioner is having a clean antecedent. It is also submitted that the matter has been settled amicably in as much as a compromise has been arrived at amongst the parties.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also considering the fact that the injury, sustained by the informant has been found to be simple in nature apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or



surrender before the learned court below within a period of four weeks from today, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of J.M. 1st Class, Purnea in connection with Amour P.S. Case No. 30 of 2020, subject to the conditions laid down under section 438(2) of the Cr. P. C.

(Mohit Kumar Shah, J)

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