

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62083 of 2021

Arising Out of PS. Case No.-112 Year-2021 Thana- BARHARIA District- Siwan

1. AJAJ ALI @ AJAJ Son of Imteyaj Ali Resident of Village- Kudwa, P.S.- Barhariya, Dist- Siwan.
2. Meraj Ali @ Meraj Ahmad Son of Imteyaj Ali Resident of Village- Kudwa, P.S.- Barhariya, Dist- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-07-2022 At the very outset, learned counsel for the petitioners seeks permission to withdraw the petition of petitioner no.2, namely, Meraj Ali @ Meraj Ahmad.

Permission is accorded.

Accordingly, the petition of petitioner no.2, namely, Meraj Ali @ Meraj Ahmad is dismissed as withdrawn.

Heard learned counsel for the petitioner no.1 and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 504, 325, 307, 448, 379 and 34 of the Indian Penal Code.

It is a case of assaulting to the informant due to which



he sustained injury and it is further alleged that Meraj Ali @ Meraj Ahmad assaulted by means of fighter ring due to which the informant sustained injury on the below of the eye.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that the main allegation is against Meraj Ali @ Meraj Ahmad due to which the informant sustained grievous injury on the below of the eye and there is general and omnibus allegation against petitioner no.1, namely, Ajaj Ali @ Ajaj and no specific allegation of assault is against him and only he assaulted back to the informant by means of lathi. The injury report vide Annexure-2 to this petition, it appears that all injuries are simple in nature except eye injury which is neither fetal nor real. Petitioner no.1 has got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioner, namely, Ajaj Ali @ Ajaj in the event of his arrest or surrender before the court below within a period of four 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 ACJM-3rd



Siwan in connection with Barhariya P.S. Case No. 112 of 2021,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

However, petitioner no.2, namely, Meraj Ali @ Meraj
Ahmad is directed to surrender before the court below and make
prayer for regular bail and the court below may consider his
prayer for regular bail without being prejudiced by this order.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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