

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63445 of 2021

Arising Out of PS. Case No.-413 Year-2020 Thana- BAJPATTI District- Sitamarhi

MD EZAZ Son of Abdul Hafiz Resident of Village - Bangaon Tole
Darabkhana, P.S.- Bajpatti, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mrs.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-05-2022 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

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 3323, 307, 379, 504/34 of the Indian Penal
Code.

Prosecution case, in short, is that the accused persons
assaulted the informant and when her son-in-law Abdul Majid came,
co-accused Md. Wasim Akram assaulted him and also threw him on
the earth and petitioner pressed his neck and co-accused Md. Kaif
and Abdul Hafiz came with rope and then co-accused Md. Wasim
Akram and the petitioner tied rope in the neck of Abdul Majid.

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. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

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

Considering the 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 bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupari at Sitamarhi in connection with Bajpatti P.S. case No.413/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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