

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65358 of 2021

Arising Out of PS. Case No.-403 Year-2021 Thana- JOKIHAT District- Araria

Abu Nasar, S/O Abdul Shakur R/O Village- Barhuwa, Matiyari, Ward No. 2,
P.S.- Jokihat, District- Araria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354, 504, 506/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is in custody since 17.08.2021, he is a person with clean antecedent and charge-sheet has been submitted in this case.

The learned counsel for the petitioner further submits that the informant alleges that she gave sweets and Rs.100/- to her sister-in-law Bibi Begum at the time of her Bidai, on which the petitioner (Dewar of the informant) came along with named accused persons and abused and assaulted the informant, even



dashed on the ground and undressed her and when her husband came to save her, he was also assaulted. It is further submitted that the father and brothers of the informant, who had come to her house, were also assaulted. It is further submitted that the petitioner assaulted the father of the informant on head by an iron rod giving repeated blow, who is struggling for life during treatment.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the occurrence has taken place in the house of the petitioner where the injured along with his son had come. The learned counsel submits that the victim and the petitioner are related. It is submitted that the alleged occurrence took place in hit of the moment and the petitioner without realizing the consequences of his action, assaulted the father of the informant. It is submitted that no doubt, the injury is on the vital part of the body and is said to be grievous, but then the victim is hale and hearty and was discharged after treatment from the hospital.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody,



he is a person with clean antecedent, charge-sheet has been submitted in this case, the victim has been discharged and is hale and hearty as submitted and the offence being the first offence of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Jokihat P. S. Case No.403 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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