

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70181 of 2021

Arising Out of PS. Case No.-667 Year-2019 Thana- AMARPUR District- Banka

MD. ARSHAD, Son of Late Md. Amin, Resident of Village- Naya Tola
Dhimera, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-06-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

Learned counsel for the petitioner is permitted to
remove the defect/(s), as pointed out by the office, if any, within
a period of four weeks from today.

This is an application for grant of anticipatory bail in
connection with Amarpur P.S. Case No. 667 of 2019 registered
for the offences punishable under Sections 341, 323, 307, 354
(B),379, 504, 506/34 of the Indian Penal Code.

It is alleged in the FIR that the occurrence took place
on account of altercation between the children of both sides. It is
further alleged that the petitioner along with his family members
assaulted the informant with iron rod and also snatched her gold
ear ring due to which she became unconscious and when her



husband came to save her, he also get assaulted by the accused persons and received injuries.

Learned counsel for the petitioner submits that due to dispute between the children, altercation took place between the parties. He further submits that there is inordinate delay in lodging the FIR without any plausible explanation. He further submits that although the doctor has found injuries on the person injured but did not give any opinion regarding the nature of injury. He further submits that the occurrence took place on the spur of the moment and not intentionally. He further submits that both the parties have compromised the matter and the copy of the same is annexed at Annexure-3 of the present petition.

Learned APP for State has opposed the prayer of anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances and the nature of allegation against the petitioner, let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Banka, in connection with Amarpur P.S. Case No.



667 of 2019, subject to the conditions as laid down under
Section 438(2) of Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

khushbu/-

U		T	
---	--	---	--

