

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3576 of 2023

Arising Out of PS. Case No.-89 Year-2021 Thana- AMAUR District- Purnia

MD. SAHABUDDIN @ MD SHAHABUDDIN @ SAHABUDDIN Son of
Late Barat Ali R/o village - Rani Amour, P.S.- Amour, District - Purnea
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-06-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 323, 324, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation against this petitioner is of assaulting Nazam by *Kattha* on his head causing injury.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the injury report of Nazam, it would manifest that the Doctor has recorded that no external injury nor any bleeding was seen. It is next submitted that had Nazam been assaulted in the manner as alleged then definitely some external injury or bleeding would have taken place.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal from the injury report, it appears that the opinion with regard to the nature of injury is still reserved.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six 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 the learned trial court where the case is pending/successor court in connection with Amour P.S. Case No. 89 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned Trial Court before accepting the bail bonds of the petitioner shall verify whether the injury suffered by Nazam is simple or grievous and in the event if it is found that the injury is simple in nature, the bail bonds shall be accepted and in the event if it is found that the injury is grievous in nature, then the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

HarshPandey/-

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