

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17717 of 2023

Arising Out of PS. Case No.-232 Year-2022 Thana- KARJA District- Muzaffarpur

AKBAR ALI Son of Md. Hanif Miya, R/o- Badkagaon, Tola-Bharara,
District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Karja PS case no. 232 of 2022, registered for
the offences punishable under Section 307 and other allied
sections of the Indian Penal Code.

The accused persons including the petitioner
herein are alleged to have arrived at the house of the informant,
whereafter they are alleged to have demanded a sum of Rs. 5
lacs by way of extortion money and on refusal, they had
assaulted the informant. As far as the petitioner is concerned, he
is alleged to have assaulted the informant on his head by *farsa*.

The learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in the



present case. The petitioner is stated to be an accused in one another case but he is on bail in the said case. The learned counsel for the petitioner has further submitted that though the petitioner has been alleged to have given a *farsa* blow on the head of the informant but the injury has been found to be simple in nature.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that it is the specific averment of the learned counsel for the petitioner that the injury sustained by the informant, attributable to the petitioner herein, has been found to be simple in nature, though I deem it fit and appropriate to direct for release of the petitioner on bail, however, subject to verification of the injury report by the learned court of J.M. 1st class, Muzaffarpur (West) in connection with Karja PS case no. 232 of 2022 and further subject to such other conditions as may be deemed fit and proper to be imposed by the learned trial court for the purposes of grant of anticipatory bail.



The present petition stands disposed off on the
aforesaid terms.

(Mohit Kumar Shah, J)

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