

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 13697 of 2023

Arising Out of PS. Case No.-108 Year-2016 Thana- ANDHRAMATH District- Madhubani

MD. DAUD Son of Md. Inus R/V- Neur, P.S.- Andhramath, District-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Gagan Deo Yadav, Adv. Mr. Ravi Prakash, Adv. Mr. Rajesh Kumar, Adv.
For the Opposite Party/s :	Mr. Sucheta Yadav, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 504 of the Indian Penal Code.

Allegedly, after some altercation, all the accused persons came at the door of the informant and started abusing using filthy language. In the meantime, petitioner assaulted Md. Azir on his head with iron *Khanti*.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is case and counter case between the parties. Though the allegation against the petitioner that he



assaulted Md. Azir by means of *Khanti*, but as per the injury report, the injuries sustained by him were found simple in nature. Similarly situated co-accused, namely, Md. Nisrul has been enlarged on bail by a co-ordinate bench of this court vide order dated 02.09.2022 passed in Cr. Misc. No. 8526 of 2022. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the similarly situated co-accused has been granted anticipatory bail by the co-ordinate bench of this Court, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Andhramath P.S. Case No. 108 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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