

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14630 of 2023

Arising Out of PS. Case No.-531 Year-2022 Thana- BUDDHACOLONY District- Patna

MD. WASIM AKHTAR @ WASIM AKHTAR SON OF SAFI AHMAD R/O
BANAULIYA, P.S.- BIHAR, DISTRICT- NALANDA AT PRESENT MOD
FASHION, GORAKH NATH ROAD, BORING ROAD, P.S.- BUDDHA
COLONY, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar Singh No. 1, APP
For the informant	:	Mr. Amresh Kumar Sinha, Advocate
		Mr. Praveer, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 24-05-2023 Heard learned counsel appearing on behalf of the parties.

The accused/petitioner is named in the F.I.R. and apprehend his arrest in connection with Buddha Colony P.S. Case No. 531 of 2022 registered for the offences punishable under Sections 341, 323, 354, 308, 379, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioner is to assault husband of informant and also to outrage her modesty along with other co-accused persons, who are none but the employees of his shop, where, informant visited with her husband for measurement of her suit.



Learned counsel appearing on behalf of the petitioner submitted that allegation against this petitioner is appearing very much general and omnibus in nature and no injury report is available, as per FIR. It is submitted that admittedly informant is regular visitor of the shop of informant and no ever such complaint was raised in past, whereas, this time out of certain transactional disputes arises out of purchase, the present false implication was made. Learned counsel further submitted that false implication get strength further as husband of informant, though in fit condition to lodge FIR, but same was lodged by informant / wife.

Learned APP duly assisted by learned counsel appearing on behalf of the informant, opposes the prayer of bail.

Considering the aforesaid facts and circumstances of the case, as allegation against this petitioner, as regard to assault is appearing very much general and omnibus, accordingly above named petitioner, in the event of his arrest or surrender before learned court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Patna /concerned Court, where the case is pending in connection with



Buddha Colony P.S. Case No. 531 of 2022, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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