

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15961 of 2023**

Arising Out of PS. Case No.-788 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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RAGIB S/O ASLAM ALAM Resident of Village- Katha, P.S.- Muffasil,
District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 24-05-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner is apprehending his arrest in connection
with Motihari Muffasil P.S. Case No. 788/ 2022 registered for
the offence punishable under Sections 341, 323, 324, 504, 307,
34 of the Indian Penal Code (for brevity 'IPC').

It is alleged that the petitioner has inflicted a stab injury
on the informant's son.

Learned counsel for the petitioner submits that from the
prosecution case, it will be evident that a scuffle has taken place
between some persons on *Barnawa* bridge. The informant's son,
in fact, has sustained injury in that process and the petitioner is
not responsible for the injury. The prosecution party and the



petitioner are agnates and realising the mistaken implication, a petition has been filed in the court below regarding the compromise, copy of which is Annexure- 3. The victim as well as the petitioner are both young, aged about 18-19 years, and petitioner has no criminal antecedents.

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

Considering the rival submissions, the compromise petition, petitioner's age, clean antecedents and the nature of allegation, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Motihari, East Champaran, in connection with Motihari Muffasil P.S. Case No. 788/2022, subject to the following conditions:

- (i) That one of the bailors of each of the petitioner will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner concerned.



The bailors will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if they fail to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

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