

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.14636 of 2023**

Arising Out of PS. Case No.-307 Year-2020 Thana- CHIRAIYA District- East Champaran

ABDUL MALIK ANSARI @ ABDUL MALIQU Son of Late Anash Ansari  
R/V- Madhopur P.S- Chiraiya Dist- East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA  
ORAL ORDER**

3      19-06-2023                      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 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

Learned counsel for the petitioner at the outset submits that earlier the petitioner had moved before this Court by filing Cr. Misc. No. 26196 of 2021 and the same was rejected by order dated 10.01.2022 by a learned Coordinate Bench. The learned counsel for the petitioner next submits that from perusal of the allegation as alleged in the FIR it would manifest that allegation against the petitioner is of order giver and thus had not assaulted, it is further submitted that on account of intervention of the well-wishers the informant has also entered



into a compromise, it is further submitted no doubt case under Section 307 of the IPC is not compoundable but when the informant is not willing to pursue the case no useful purpose would be served by sending the petitioner to jail when admittedly petitioner is not alleged to have assaulted the injured.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt Annexure-4 has been annexed with the Anticipatory bail application bringing on record the compromise entered in between the informant and the petitioner but then it is submitted whether the compromise is genuine or not.

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 Chiraiya P.S. Case No. 307 of 2020 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 bond of the petitioner shall issue notice to the informant to verify about the compromise entered in between the informant and the petitioner and in the event, if it is found that the compromise is genuine the bail bond shall be accepted and in the event, if the informant disputes the compromise then the present order shall not be given effect to.

**(Satyavrat Verma, J)**

Adnan/-

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