

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16349 of 2023

Arising Out of PS. Case No.-395 Year-2021 Thana- DHAKA District- East Champaran

MD AZAD ALAM @ S K AZAD SON OF SHEKH SHABIR @ SHEKH SHABIR AHMAD RESIDENT OF VILLAGE KARMOHANA, PS-DHAKA, DISTRICT- EAST CHAMPARAN, MOTIHARI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Anil Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 354(B) and 504 of the Indian Penal Code.

Allegedly, petitioner along with other accused persons, forming an unlawful assembly, came at the door of the informant and started abusing him. When the informant raised objection, the accused persons assaulted the informant brutally with deadly weapons and when his family members tried to save him, they assaulted them too.

Petitioner is said to have given sword blow on the head of the informant, as a result of which he sustained head injury.

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 admitted land dispute between the parties. There is case and counter case between the parties. The injury sustained by the victim is simple in nature, which is also evident from the impugned order. 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 and considering the nature of the injury sustained by the victim, 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 Dhaka P.S. Case No. 395 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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