

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28393 of 2023**

Arising Out of PS. Case No.-38 Year-2020 Thana- BARACHATTI District- Gaya

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MOHAMMAD MOJAHID KURESI @ CHOTU MIYAN @ CHOTU QURAISHI Son of Mohammad Abbas Kuresi @ Abbas Miyan Resident of Village - Bajarkar, P.O.- Sarwan Bazar, P.S.- Barachatti, Gaya, District - Gaya (Bihar) Pin - 824201

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakib Ayaz, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 17-07-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 147, 341, 323, 379, 307/34 of the Indian Penal Code.

3. Allegation against this petitioner is that he along with other accused persons brutally assaulted the son of the informant by means of iron rod due to which he sustained injury. It is further alleged that they also looted Rs. 3,000/- cash from his shop.

4. It is submitted that allegation of assault is general and omnibus. No specific overt act has been alleged against the petitioner and injury allegedly caused by him is simple in nature. It is further submitted that the matter has been



compromised between the parties and a compromise petition has been filed before the court below.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-2, Sherghati, Gaya in connection with Barachatti P. S. Case No. 38 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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