

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35901 of 2023

Arising Out of PS. Case No.-223 Year-2017 Thana- PUPRI District- Sitamarhi

Md. Anas @ Anas Khan, aged about 24 years, male, son of Md. Sadre Alam @ Sadre Painter, resident of village - Bedaul, Ward No.- 15, P.S. - Pupri, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Pupri P.S. Case No. 223 of 2017 dated 01.08.2017 instituted for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 16.07.2017 at about 09.00 pm, while the informant along with his cousin was returning to home from his shop, the petitioner and other two accused persons snatched Rs. 4000/- from him on the point of knife. It has also been alleged that one co-accused, namely, Saddam with intention to kill him stabbed the knife in his neck which caused injury in his neck and ear. They also hit



his cousin with the knife but he managed to escape. It has been further alleged that the petitioner inflicted dagger blow on the informant's left arm.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he is falsely implicated in this case. It is further submitted that the allegation against the petitioner is that he inflicted knife blow on the informant's left arm, which is simple in nature. Learned counsel for the petitioner further submits that F.I.R. was registered after 15 days of the occurrence and there is inordinate delay in registration of first information report. Learned counsel for the petitioner submits that upon intervention of well-wishers, good sense prevailed between the parties with passage of time, a joint compromise petition was filed by the parties. Lastly, it has been submitted that petitioner has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner in connection with Pupri P.S. Case No. 223 of 2017, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi subject to condition as laid down under Section 438(2) of the Criminal Procedure Code.

(Khatim Reza, J)

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