

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36886 of 2023

Arising Out of PS. Case No.-249 Year-2020 Thana- BIRPUR District- Supaul

Tariq Anwar Son Of Fajlu @ Fajlu Rahman Resident Of Village - Shankarpur,
Ward No. 14, P.S. - Birpur, Distt. - Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Birpur P.S. Case No. 249 of 2020 dated 27.10.2020 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506 read with 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and the co-accused persons took the informant's husband in the backyard of his house and assaulted him with *Belcha*, causing severe injury. The petitioner also snatched Rs. 5,000/- from the pocket of her husband. The injured was taken to Birpur hospital for treatment.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on account of land dispute. There is no specific allegation of assaulting against the petitioner. The other co-accused person has already been granted anticipatory bail by the Co-ordinate Bench of this Court *vide* order dated 28.04.2023 passed in Cr. Misc. No. 10568 of 2023. There is general and omnibus allegation against the petitioner. Learned counsel has further submitted that as per Annexure-3, the husband of the informant sustained two injuries i.e. abrasion over left ear and abrasion on left thumb which are simple in nature caused by hard and blunt substance. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.03.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the informant's husband died during the course of treatment after 5 days of the incident.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Birpur, Supaul in connection with Birpur P.S. Case



No. 249 of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

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