

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39409 of 2023

Arising Out of PS. Case No.-194 Year-2022 Thana- GWALPARA District- Madhepura

Md Sohrab @ Md. Sohrab Alam @ Sahrab Alam Son Of Md. Usim @ Wasim
Residetn Of Village Reshna Ward P.S Gwalpara (ARAR O.P) District
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Gwalpara (Arar O.P.) P.S. Case no.194 of 2022 registered under sections 307, 341, 323, 324, 379, 354, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the accused persons including the petitioner herein are said to have come variously armed and of having assaulted the informant and the members of his family. The petitioner is said to have assaulted with an iron rod on the head of the informant.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. It is a



case of land dispute between the parties. The case of the petitioner stands on similar footing to that of other co-accused who have been enlarged on bail vide different orders including the order dated 25.07.2023 passed in Cr. Misc. no.13922 of 2023. The allegation against the petitioner is of having assaulted the informant and the injury on the informant has been found to be simple in nature. The petitioner has no criminal antecedent.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and having perused the material on record, it transpires that the allegation against the petitioner is of having assaulted the informant with an iron rod on his head. Further from the contents of the injury report of the informant quoted in the order of the learned trial Court, it transpires that the doctor found deep cut injury over the frontal occipital part of scalp of the informant. In view of the specific allegation against the petitioner which is supported from the contents of the injury report, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned Court below within a period of four weeks.

8. In case the petitioner surrenders within a period of



four weeks and prays for regular bail, the same shall be considered by the learned trial Court without being prejudiced by this order of rejection.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

