

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.42108 of 2023

Arising Out of PS. Case No.-242 Year-2021 Thana- PIPRA District- Supaul

MD. NAVIJAAN @ SULTAN SON OF LATE MOHAMMAD ALI
RESIDENT OF VILLAGE - JOLHANIYA, P.S. - PIPRA, DISTRICT -
SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shruti Sinha, Advocate
For the State : Mr. Amitesh Kumar, A.P.P.
For the Informant : Mr. Kuldeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-09-2023 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 147, 148, 149, 341, 323,
324, 325, 447, 504 of the Indian Penal Code and Section 25(1-
b)a/26 of Arms Act.

3. As per prosecution case, on 21.08.2021 at about
12:00 Noon all the F.I.R. named accused persons including the
petitioner, armed with deadly weapons, came at the door of the
informant and started assaulting him. During course of the
occurrence, father of the informant was assaulted by spear due
to which he got injured and fell on the ground. It is further
alleged that accused persons also snatched away one golden
chain worth Rs. 60,000/-.

4. It is submitted on behalf of the petitioner that from
bear perusal of the F.I.R. it is apparent that due to petty dispute



an altercation took place between the parties in which both sides sustained injuries. Case and counter case. It is further submitted that though in the F.I.R. petitioner is alleged to have assaulted the father of the informant with spear but doctor has not found any sharp cut injury rather it is a gun shot injury. It means either the prosecution case is false or the informant has not seen the occurrence. Petitioner has got clean antecedent.

5. Learned counsel for the informant vehemently opposes the bail application.

6. Considering the discrepancies in the prosecution case and the injury report of the father of the informant and clean antecedent, this anticipatory bail is allowed and it is ordered that let 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-VI, Supaul in connection with Pipra P. S. Case No. 242 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Navya/-

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

