

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38056 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- JOGAPATTI District- West Champaran

SAMIR ANSARI S/O MANIR ANSARI R/O Village- Semari Ghorpadwa,
PS. Jogapatti (Nawalpur), Dist. West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 28-07-2023 1. Heard the learned counsel for the petitioner and the learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail in connection with Jogapatti (Nawalpur) PS case no. 77 of 2023, registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The allegation is regarding the petitioner having inflicted a *farsa* blow on the head of the son of the informant namely Balal Ansari, after an altercation had taken place in between the parties.
4. The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted by referring to the impugned order dated 16.05.2023 that the nature of injury sustained by the son of the



informant, has been found by the Doctor to be simple in nature.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the injury sustained by the son of the informant has been found to be simple in nature and moreover, the petitioner is having a clean antecedent, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, West Champaran at Bettiah in connection with Jogapatti (Nawalpur) PS case no. 77 of 2023, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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