

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43355 of 2023

Arising Out of PS. Case No.-20 Year-2022 Thana- AMAUR District- Purnia

Md. Rizwan Ahmad @ Md. Rizwan, Son of Md. Muslim Resident of Village -
Kocheli, P.S.- Amour, District - Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Paras Nath, Advocate
For the informant	:	Mr. Bipin Kumar, Advocate
For the Opposite Party/s	:	Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 25-07-2023 1. Heard learned counsel for the petitioner, learned counsel for the informant and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Amour P.S. Case No. 20 of 2022 dated 27.01.2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354(B) and 504 of the Indian Penal Code.
3. As per prosecution, the informant alleged that this petitioner along with his associates barged into the house of the informant and started assaulting her family members. Further, this petitioner assaulted the informant's husband by means of *Dabiya* at his head, thereafter he also assaulted the informant's cousin at his head.
4. The main submissions advanced by the learned



counsel for the petitioner are that there is a case and counter case in between both the parties, the counter case was lodged by one of the family members of the petitioner in fact on account of a motor accident caused by informant's brother to a girl, free fight took place between both the parties and persons of both the sides sustained injury in that occurrence. Further submissions are that as per the allegation the petitioner inflicted *dabiya* blow on the head of the father of the informant but the injury found on his person was opined to be caused by hard and blunt object by the doctor concerned and the same is against the nature of the alleged weapon and the alleged occurrence was not pre-planned and the same took place in spur of moment and the petitioner has been languishing in jail since 03.05.2023 and against him the investigation has been completed.

5. Learned counsel for the informant has vehemently opposed the bail prayer and submitted that against this petitioner there are criminal antecedents of two cases and against him there is a serious and specific allegation and on account of the alleged assault committed by this petitioner the informant's father sustained head injury which has been opined to be grievous in nature.

6. Heard both the sides and perused the FIR and the



injury report of the informant's father. Against this petitioner, there is a specific allegation of having assaulted at the head of the informant's father by means of *dabiya* and a fracture injury has been found on the head of the informant's father and as per allegation this petitioner inflicted another blow at the cousin brother of the informant during the occurrence after causing injury to the informant's father and the same shows the seriousness of the allegation appearing against this petitioner, in my opinion it is not a fit case for bail to the petitioner. Accordingly, his bail prayer stands rejected.

7. Petitioner may renew his bail prayer after six months, if any significant progress is not made in his trial by the trial court.

(Shailendra Singh, J)

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