

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51022 of 2023

Arising Out of PS. Case No.-11 Year-2022 Thana- CHHATAPUR District- Supaul

MD. IZRAIL SON OF MD. AMRUN R/O-PARTAPNAGAR, WARD NO.
10, P.S.-CHHATAPUR, DISTT.-SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Arbind Kumar Pandey App

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-08-2023 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 Chhatapur P.S. Case No. 11 of 2022, registered for the offence punishable under Sections 341, 447, 448, 323, 324, 325, 307, 379, 354(B), 504 and 506 of the Indian Penal Code.

3. The case of the prosecution, in brief, according to the informant, is that while the informant was sitting at his door on 12.1.2022 at about 4:00 pm., the accused persons including the petitioner herein had arrived there, variously armed, whereafter they had started assaulting the informant and other family members. As far as the petitioner is concerned, he is stated to have assaulted on the hand of the brother of the informant,



resulting in his hand being fractured.

4. The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner has no objection in case it is verified as to whether the brother of the informant has sustained any grievous injury or not, however, the contention of the petitioner is that the brother of the informant has not received any grievous injuries.

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 petitioner, taking into account the materials available on record as also considering the fact that it is the contention of the learned counsel for the petitioner that the brother of the informant has not received any serious injuries as a result of him being hit on his hand by the petitioner by a rod, though, I deem it fit and proper to direct for release of the petitioner on anticipatory bail, however, subject to verification by the learned Court of ACJM-V, Supaul, in connection with Chhatapur P.S.Case No. 11 of 2022, as to whether the injury, sustained by



the brother of the informant, attributable to the petitioner herein, is grievous in nature or not and further subject to such other conditions as may be deemed fit and proper to be imposed by the learned Trial Court.

7. The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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