

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51849 of 2022

Arising Out of PS. Case No.-82 Year-2021 Thana- KAKO District- Jehanabad

MD. AZIZ SEIKH @ MD. AZIZ SHEIKH S/o Md. Wahid Sheikh @ Nanhu Sheikh Resident of Village- Bara, P.S.- Kako (Bhelawar O.P.), District- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-01-2023 Heard Mr. Umesh Kumar, learned counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with Kako (Bhelawar O.P.) P.S. Case No. 82 of 2021 for the offence registered under Sections 147, 148, 149, 323, 504, 506 and 354 of the Indian Penal Code.

As per the prosecution story, the daughter of the informant was going to coaching centre, when this petitioner tried to give a letter and also caught her hand. Later on 08.05.2021, when the same was being explained, allegation is that the named accused caught his son at the place of Imambada and assaulted him. When this was objected by the informant, he too was assaulted causing injury on his head, leg and hand.

Learned counsel for the petitioner submits that it is a



matter of case and counter case, the petitioner do not have any criminal antecedent, the injury has been found to be simple in nature and similar placed other accused persons have since been granted on bail by a Co-ordinate Bench on 12.07.2022 vide Cr. Misc. No. 63416 of 2021.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Taking into account the fact that the petitioner do not have criminal antecedent, injury has been found to be simple in nature and similarly placed other co-accused persons have since been granted relief, this Court is inclined to grant him relief.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Ist, Jehanabad in connection with Kako (Bhelawar O.P.) P.S. Case No. 82 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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