

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52527 of 2023

Arising Out of PS. Case No.-41 Year-2023 Thana- ABADPUR District- Katihar

Belal Son Of Late Noki Mohammad @ Late Neki Resident Of Village-
Damdoliya, Ps- Abadpur, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad
For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 447, 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioner is said to have assaulted on the chest of the wife of the informant by means of knife.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the occurrence took place on 04.04.2023 but the F.I.R. lodged on 10.04.2023. He submits that there is delay of 6 days in filing of the present FIR and there is no any explanation of it which creates serious doubt about



prosecution case. He further submits that the injury found upon the victim is simple in nature. He submits that petitioner and informant are neighbours and having dispute relating to Jadu-Tona. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that the injury found upon the victim is simple in nature, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Abadpur P.S. Case No. 41/2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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