

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53445 of 2022

Arising Out of PS. Case No.-127 Year-2022 Thana- RAMNAGAR District- West Champaran

Ibrahim Mian @ Md. Ibrahim Mian @ Md. Ibrahim, Son of Akbar Miyan R/o
Village - Sabuni Ward No.- 13, P.O. and P.S.- Ramnagar, District - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-01-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any,

within a period of three weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in

connection with Ramnagar P.S. Case No. 127 of 2022

registered for the offences punishable under Sections 341,

323, 324, 307, 379, 504 and 506 read with Section 34 of the

Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, due to land dispute, the

petitioner and the co-accused persons armed with *lathi* and



farsa came and upon the order of co-accused Indu Mian, the petitioner inflicted blow of *farsa* on the head of the informant causing head injuries and the other co-accused persons also assaulted the informant with *lathi*. The informant fell down. The co-accused Tara Khatoon took away gold chain from the neck of the informant and the co-accused Rizwan Mansoori took out Rs. 25,000/- from the pocket of the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. There is case and counter case between the parties. He has further submitted that all the allegations levelled against the petitioner is false. Learned counsel further submitted that the informant has not sustained any injuries by sharp edged weapon. The petitioner has got clean antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner and submitting that there is specific allegation against the petitioner of assaulting on the head of the informant causing grievous injuries.

Considering the aforesaid facts and circumstances of the case as well as the specific allegation against the petitioner and the grievous nature of the injury, I am of the



view that no case for grant of anticipatory bail is made out and the same is rejected with direction to the petitioner to surrender before the Court below concerned within six weeks from the date of this order and the prayer for regular bail, the learned Court below will consider his prayer for regular bail in accordance with law without being prejudiced by this order.

The application stands rejected.

(Chandra Prakash Singh, J)

Gautam/-

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