

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55273 of 2023

Arising Out of PS. Case No.-266 Year-2022 Thana- KATORIYA District- Banka

Karim Ansari @ Karim Miyan S/O Gulshan Miyan R/O Village- Ghormara,
P.O.- Katoria, P.S. Katoria, Dist. Banka, Bihar-813106

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-09-2023 Heard Mr. Anmol Kumar, learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Katoria P.S. Case No. 266 of 2022, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. Allegedly, while the informant was ploughing his field, in the meantime, all the FIR named accused persons, including the petitioner, came there and the petitioner assaulted the nephew of the informant by means of iron rod, due to which he sustained injury. There is further allegation that other accused persons also assaulted and snatched the valuables.

4. Learned counsel appearing on behalf of the



petitioner submits that the FIR has been instituted against 23 named persons, who all are family members, in the background of the land dispute. He next submits that though the specific allegation of assault has been levelled against the petitioner, however, the injury is found to be simple in nature. That apart, there is no allegation of repetition of blow. He also submits that other accused persons, having named in the FIR, have been allowed the privilege of anticipatory bail by the learned co-ordinate Bench of this Court. He lastly submits that one of the injured has also sustained grievous injury, but that is not attributed to the petitioner.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that specific allegation of assault has been levelled against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the genesis of the occurrence and the nature of injury as well as the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Sessions Judge,
Banka in connection with Katoria P.S. Case No. 266 of 2022,
subject to the conditions laid down in Section 438(2) Cr.P.C.
with the further condition that one of the bailors shall be the
own/close family members of the petitioner.

(Harish Kumar, J)

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