

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55719 of 2022**

Arising Out of PS. Case No.-83 Year-2020 Thana- DAGARUA District- Purnia

Md. Yasin @ Yasin, S/O Sukruddin Resident of Rampur Barsavni, P.S.-
Dagarua, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, APP

For the Opposite Party/s : Mr. Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 20-01-2023 Heard learned counsel for the petitioner and the

learned APP for the State through virtual mode in view of

COVID-19.

The petitioner apprehends his arrest in connection
with Dagarua P.S. Case No.83 of 2020 instituted under Sections
341,323,324,307/34 of the Indian Penal Code.

As per the prosecution story, the son of the informant
had gone to the maize field where allegation is that this
petitioner and one Md. Afjal attacked him by a spade causing
injury and he fainted. He was referred to the Primary Health
Center, Dagarua and from there to Sadar Hospital, Purnea.

Learned counsel for the petitioner submits that it is a
matter of case and counter case, there is delay of 19 days in
lodging the FIR, the petitioner do not have criminal antecedent
and the injury has been found to be simple in nature. Further,



irrespective of the outcome of the present case, in view of the fact that allegation is of causing injury though simple in nature, the petitioner on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned court to be handed over to the informant after checking the credentials.

Learned APP on the other hand opposes the prayer for anticipatory bail stating that allegation is of using spade on the vital part of the body.

Taking into account the fact that there is delay of 19 days in lodging the FIR, the petitioner do not have criminal antecedent, the injuries has been found to be simple in nature as reflects from the order of the learned Sessions Judge, this Court is inclined to extend the privilege of anticipatory bail to the petitioner subject to payment of Rs.10,000/- as stated above.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Dagarua P.S. Case No.83 of 2020 to the satisfaction of learned Chief Judicial



Magistrate, Purnea, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C. with further conditions that the
petitioner shall appear before the concerned police station every
fortnight for next six months to mark attendance.

(Rajiv Roy, J)

Prakash Narayan/
Ajay Singh

U		T	
---	--	---	--

