

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58164 of 2023**

Arising Out of PS. Case No.-238 Year-2023 Thana- BIHAR District- Nalanda

Md. Waris Anwar Son Of Late Moin Khan Village- Kagji Mohalla, PS- Bihar  
Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      11-10-2023                      Heard Mr. Sudish Kumar, learned counsel appearing  
on behalf of the petitioner and Mr. Murli Dhar, learned APP for  
the State.

2. The petitioner seeks pre-arrest bail in connection  
with Bihar P.S. Case No.238 of 2023 dated 10.03.2023  
registered for the offence punishable under Sections 341, 323,  
337, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. Prosecution story, in brief, is that the petitioner  
along with his brother assaulted the informant and snatched gold  
chain and money.

4. Learned counsel appearing on behalf of the  
petitioner submitted that case and counter case had been filed  
first from the petitioner's side bearing Bihar P.S. Case No.237 of  
2023, in which allegation had been made that the informant had

brutally assaulted the brother of the petitioner and then from the informant's side bearing Bihar P.S. Case No.238 of 2023. Counsel further submits that the petitioner intervened to pacify both the informant and his brother and due to this reason the petitioner might have caused some injuries to the informant in his self-defence.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submits that from the impugned order it appears that injuries, sustained by the informant, are grievous in nature therefore the petitioner does not deserve grant of pre-arrest bail.

6. Considering the rival submissions made above it has been made clear that the petitioner intervened to pacify both the parties and to stop the scuffling between the informant and his brother, the petitioner might have caused some injuries to the informant in his self-defence but it was without intention.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda, Bihar Sharif in

connection with Bihar P.S. Case No.238 of 2023 dated  
10.03.2023, subject to the condition as laid down under Section  
438(2) of the Cr.P.C.

Ashishsingh/-

**(Purnendu Singh, J.)**

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