

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59733 of 2022

Arising Out of PS. Case No.-5 Year-2021 Thana- JALALGARH District- Purnia

MD. RABBAN @ MD. RABBANI S/O ILAHI Resident of village- Bareilly,
Police Station- Amour, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikram Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

Allegation against the petitioner is that he has assaulted the mother of the informant by means of *kudal* and injuries found upon are grievous in nature.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is land dispute between the parties. He submits that the occurrence took place on 03.01.2021 and FIR lodged on 08.01.2021 after a delay of about 5 days. He further submits that there is no any explanation regarding the



delay in filing of the present FIR which creates serious doubt about the prosecution case. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner to assault the mother of the informant by means of *kudal* and injuries found upon the victim are grievous in nature, hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is delay in filing of the present FIR, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Jalalgarh P.S. Case No. 05/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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