

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64092 of 2023

Arising Out of PS. Case No.-587 Year-2023 Thana- ARARIA District- Araria

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Anwarul @ Anwarul Haque, Son of Bashir @ Basir, Resident of Village-
Bangama, Pakariya Tola, Ward No. 05, P.S.- Araria, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 19-10-2023 Heard Mr. Madhav Jha, learned counsel appearing on
behalf of the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Araria P.S. Case No. 587 of 2023 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 354(B), 447 of the Indian Penal Code.

3. Allegedly, the maternal grand daughters (Natni) of the informant, namely, Tarana and Aafrin, went to the filed for grazing the cattle and in course thereof, the cattle entered into the field of the petitioner, whereupon the petitioner brutally assaulted his maternal grand daughters. Having come to know, the informant and his family members came in their rescue. However, in the meantime, the family members/persons of the petitioner also came there and they brutally assaulted the



informant and others and also taken away all the cattle, amounting to Rs.3,00,000/- (Three lakh).

4. It is submitted on behalf of the petitioner that from the narrations made in the F.I.R. it is evident that the allegation of causing injury to the informant has not been attributed to the petitioner. So far the injury sustained to the maternal granddaughters are concerned, the same are simple in nature. He next submits that the reason behind the occurrence is only with respect to the grazing of cattle and in fact on the alleged date of occurrence a free fight has taken place, which resulted into injuries to the persons of both the sides. That apart, the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the Court and will not indulge in such type of crime in future. He lastly submits that the occurrence took place on 11.06.2023 at 4.00 P.M., but the present F.I.R. has been instituted on the next day i.e. on 12.06.2023 at 10.30 A.M.

5. On the other hand, learned APP for the State opposes the bail application and submits that the informant has sustained grievous injury and this petitioner has played active role in the crime, in question.

6. Regard being had to the submissions made on



behalf of the parties and considering the omnibus allegation and the fact that the maternal granddaughters of the informant sustained simple injury, coupled with the fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 587 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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