

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73842 of 2022

Arising Out of PS. Case No.-75 Year-2022 Thana- BHAWANIPUR District- Purnia

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Irsad @ Md. Irsad S/O Late Aziz @ Abdul Aziz Nadaf R/O Village-
Bhurkunda, Ward No. 12, P.S.- Bhawanipur, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-03-2023 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, 342,
323, 325, 448, 452, 307, 379, 504/34 of the Indian Penal Code.

Petitioner is said to have assaulted the injured namely
Md. Jalim and Muntasir respectively with intention to kill them
by means of Garasa and iron rod.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that there is compromise in between the
parties. He submits that there is general and omnibus allegation
levelled against the petitioner. He submits that there is case and
counter case between the parties. He further submits that
petitioner has one 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 overt act against the petitioner and the injury found upon the victim is upon vital part of the body.

Considering the nature of injury, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Bhawanipur P.S. Case No. 75 of 2022.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order considering the fact that there is compromise between the parties.

(Anjani Kumar Sharan, J)

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