

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1434 of 2023

Arising Out of PS. Case No.-233 Year-2022 Thana- PUPRI District- Sitamarhi

MD. SHAHABUDDIN SON OF MD. SHAMIM R/O VILLAGE- GADHA,
WARD NO.4, P.S.- PUPRI, DISTRICT- SITAMARHI (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 325, 354(B), 379 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, on the alleged date and time of occurrence this petitioner along with other accused persons armed with iron rod, Lathi and Danda came at the door of informant and abused and assaulted him with fists and slaps. It is further alleged that petitioner assaulted the informant with iron rod on his head causing cut injury.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that informant took Rs. 6,23,000/- from the mother of petitioner to sell a piece of land but he did



not execute the sale deed and in order to grab the money he filed the present case. It is further submitted that there is case and counter case and mother of petitioner has also lodged Pupri PS case No. 235/2022 against the informant u/s 420, 379 and some other ancillary Sections of the IPC. Injury caused by the petitioner was found to be simple in nature by the doctor. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Pupri PS case No. 233/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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