

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11530 of 2024

Arising Out of PS. Case No.-397 Year-2023 Thana- JHAJHA District- Jamui

Niyazuddin @ Chhotu Son of Israyail Resident of Village- Satighat, P.S.-
Jhajha, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 324, 325, 307, 504,
506/34 of the IPC.

3. Allegation against the petitioner is that he assaulted with
iron rod on the head of informant's son.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place.
Informant is not the eye witness of the alleged occurrence.
Though there is allegation against the petitioner to assault the
son of the informant on his head but the injury report suggest



that the head injury is simple in nature. Injury no.3 has been found grievous in nature but the petitioner is not alleged to be the author of the said injury. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case, since the injury said to be attributed by the petitioner has been found simple in nature, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Jhajha P.S. Case No.397 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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