

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14345 of 2024

Arising Out of PS. Case No.-236 Year-2023 Thana- WARISNAGAR District- Samastipur

Md. Jawed Ansari S/o- Md. Mosim Ansari Village- Gohi W.No-12,
Warisnagar Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Sanjay, Advocate

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 19-04-2024 Heard Mr. Rana Sanjay, learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Warisnagar P.S. Case No. 236 of 2023, registered for the offences punishable under Sections 143, 341, 323, 324, 307, 279, 379, 504 and 506 of the Indian Penal Code.

3. Allegation against the petitioner is of causing assault by means of *farsa* over the head of the nephew of the informant causing head injury. It is further alleged that other accused persons have also assaulted and snatched the cash amount.

4. It is submitted on behalf of the petitioner that on account of a trifle, scuffle took place between both the parties



resulting into lodging of the case and counter case bearing Warisnagar P.S. Case No. 235 of 2023, which is on earlier point of time. He further submits that the prosecution case does not corroborate by the injury report as the injury sustained to the nephew of the informant is found to be simple in nature, moreover, prior to the institution of this case, the mother of the petitioner has already filed an Informatory petition before the learned S.D.M., Samastipur, the copy of which has also been placed as Annexure – P/3. Taking note of the aforesaid facts, the other co-accused persons having more or less identical allegation has been allowed the privilege of anticipatory bail in Cr. Misc. No. 81653 of 2023 vide order dated 10.01.2024.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that specific allegation has been levelled against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the simple nature of injury and the fact that co-accused person having identical allegation, has been allowed the privilege of anticipatory bail and the parity demands the similar treatment, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of



receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate – 1st, Samastipur in connection with Warisnagar P.S. Case No. 236 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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