

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15678 of 2024

Arising Out of PS. Case No.-91 Year-2021 Thana- MARAUNA District- Supaul

Md. Nizam Son of Majlum Miyan Resident of Village- Barahara (Ward No. 10), P.S.- Marauna, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehend his arrest in connection with Marauna P.S. Case No. 91 of 2021 instituted under Sections 147, 149, 323, 325, 307, 354B, 379, 447 and 504 of the Indian Penal Code.

3. As per the prosecution case, on 23.07.2021 at about 06:00 P.M. when the husband of the informant was returning home on motorcycle, one child came close to his motorcycle who was saved but petitioner along with other co-accused came there and pulled the husband of informant down from the motorcycle and started assaulting him. It is further alleged that when the informant went to rescue her husband, the accused persons also assaulted and molested her and also assaulted Md. Yousuf.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the I.O. has submitted charge-sheet in which the petitioner was not sent up for the trial but the learned Court Below took cognizance against the petitioner also. He also submits that the petitioner has no criminal antecedent and he is ready to co-operate in the trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Supaul in connection with Marauna P.S. Case No. 91 of 2021, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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