

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14262 of 2024

Arising Out of PS. Case No.-346 Year-2023 Thana- AMAUR District- Purnia

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Bablu Niyaz Ahmad @ Niyaz Ahmad, Male, Aged about 35 years, Son of Farooque Ahmad, Resident of Village- Rangamati Talbari, P.S.- Amour, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Firoz Ahmad, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2024 Heard Mr. Firoz Ahmad, learned counsel appearing on behalf of the petitioner and Ms. Nirmala Kumari, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Amour P.S. Case No. 346 of 2023 registered for the offence punishable under Sections 341, 323, 324, 325, 307, 354(B) and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioner along with other accused persons, had assaulted the informant and his family members, due to which, they had sustained injury.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case due to land dispute. There is case and counter case between the parties. In course of fierce fight, the petitioner may have caused some injury to the informant and his family members without any intention in his self defence. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR against the petitioner, as well as, there is case and counter case between the parties. In course of fierce fight, the petitioner may have caused some injury to the informant and his family members without any intention in his self defence. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four 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 learned Chief Judicial Magistrate, Purnia, in connection with Amour P.S. Case No. 346 of 2023, subject to



the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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