

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17063 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- DARBHANGA RAIL P.S. District-
Samastipur

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Md. Anwar Son Of Md. Tazim Resident Of Village - Shahpur Baghauni, P.S. -
Tajpur (WAINI O.P.), District -SAMASTIPUR

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Syed Mojibur Rahman

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 22-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with

GRP Darbhanga (Sitamarhi) Rail P.S Case No. 215 of 2023

from the Court of learned Railway Magistrate, Judicial

Magistrate-1st Class, Samastipur registered for the offences

punishable under Sections 414, 323, 324, 353, 307 of the

I.P.C.

3. As per prosecution case, it appears that the

allegation is that having heard the hulla chor chor near the

Railway Parking stand, informant reached there and saw

that public caught a person alongwith one motorcycle



bearing registration No. BR07AG/9387. It is further alleged apprehended accused disclosed his name as Md. Anwar and informant demander paper of the vehicle but he did not produce the paper of motorcvele in the meantime petitioner gave knife 7-8 blow upon the head of constable Nathu Sahni and he sustained head injury. It appears that petitioner repeatedly assaulted the constable on duty causing head injury, which is the vital part of the body. The investigation is yet to complete.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is also submitted that petitioner is in judicial custody since 26.11.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. In view of the allegation, case diary, injury report, impugned order, it appears that there is direct allegation against the petitioner to assault the police men, a key of motorcycle, a knife and a mobile were recovered from the petitioner and considering all aspects of this case, this Court is not inclined to grant bail to the petitioner.



7. Hence, prayer of regular bail of the petitioner is hereby rejected. However, trial court is directed to conclude the trial within a period of six months from the receipt of this order and if the trial is not concluded within the stipulated period then the petitioner may renew the prayer of bail before the trial court and the trial court shall grant bail to the petitioner.

(Ramesh Chand Malviya, J)

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