

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20693 of 2024

Arising Out of PS. Case No.-252 Year-2023 Thana- DARBHANGA District- Darbhanga

Md. Nadim @ Nadim Ahmad Son of Sohail Ahmad @ Md. Sohail Ahmad
Resident of village - Lalbagh, Bhagat Singh Chowk, Ansari Mohalla, Police
Station - Darbhanga (Nagar), District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saurav Anand
For the Opposite Party/s	:	Mr. Raj Kishor Singh
For the Informant	:	Mr. Shailesh Kumar
	:	Mr. Wasit Rahman
	:	Mr. Shahbaj Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 312-07-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Darbhanga (Town) Police Station Case No. 252 of 2023, disclosing offences under Sections 147, 148, 149, 323, 324, 307, 341, 448, 427, 386, 379, 504, 506 of the Indian Penal Code.

3. As per the First Information Report, on 18.08.2023, while the informant was cleaning drain with the help of staff, the accused persons, altogether sixteen in numbers along with twenty to twenty five persons, arrived there, abused the informant, entered into his house and looted the



household articles. In the meanwhile, petitioner/Md. Nadeem assaulted Amir Khan by means of iron rod on his head.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to dispute regarding passage between the parties. He further submits that the injury caused to the victim is simple in nature. Demand of extortion is not against the petitioner.
5. On the other hand, learned counsel for the informant vehemently opposes the prayer for bail and submits that the petitioner along with other accused persons formed a gang and used to demand extortion amount from the informant due to the fact that informant has constructed house in the locality which is not to the liking of the petitioner and other accused persons. They are trying to dislodge the informant from the place where he constructed his house and running his shop for livelihood. Earlier, on demand of rangdari by the father of the petitioner, the informant had paid Rs. 2 lacs who has come from other place for settling down in the village in question.



6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, the injury caused to the victim is simple in nature and the co-accused i.e., father of the petitioner has been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VII, Darbhanga, in connection with Darbhanga (Town) Police Station Case No. 252 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.
9. This is subject to the condition that:
 - i. Petitioner shall not tamper with the evidence directly or indirectly and shall not make any inducement/threat or promise to any witness or person acquainted with the facts.



ii. The petitioner shall present himself before the Court, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

iii. The petitioner shall not commit any offence similar to the offence of which he is accused in future.

(Anil Kumar Sinha, J)

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