

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28426 of 2024**

Arising Out of PS. Case No.-18 Year-2008 Thana- SURYAGARHA District- Lakhisarai

Md Kuddus @ Kudus Miyan S/o- Late Md. Tunnu R/o Vill- Purani Bazar,  
Paithan Toli, P.S.- Surajgarha, Dist- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shaukat Alam, Adv.

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      20-05-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Surajgarha P.S. Case No. 18 of 2008 G.R. No. 65/08 dated 21.01.2008 registered for the offences punishable u/ss 341, 323, 324, 307, 379, 337 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant with lathi and danda. When the informant's party came to rescue the informant, the accused persons also assaulted them due to which the informant and informant's party sustained injuries. Thereafter, the injured was taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is no specific allegation against the petitioner. As per the injury report of



the injured, the doctor has kept reserved the opinion. As per the compromise petition (At Annexure-4), the dispute between the parties has already been compromised. The petitioner is aged about 70 years old. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Lakhisarai in connection with Surajgarha P.S. Case No. 18 of 2008, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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