

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33140 of 2024

Arising Out of PS. Case No.-159 Year-2023 Thana- BAUNSI District- Araria

Nurul Islam @ Noorul Islam @ Noor Islam Late Abdul Majid R/O Village-
Latari Ghagri, Ward No. 7, P.S. Bausi, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Naushaduzzoha, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Bausi P.S. Case No. 159 of 2023, registered on 15.09.2023 for the offences under Sections 147, 149, 341, 323, 324, 504, 379, 307 and 506 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons in the background of land dispute, assaulted the informant with *lathi* and fists etc. When his brother and son came for his rescue, the petitioner and others assaulted them with sharp weapon and iron rod causing injuries on different body parts of the victim.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against all the FIR named accused persons including the petitioner. The injury report of the injured shows simple injury. There is no specific overt act attributed to the petitioner. There is counter version to the alleged occurrence and Bousi P.S. Case No. 160 of 2023 has been registered against the informant's side under Section 307 and other allied sections of the IPC. Petitioner's side also received injuries for which there is no explanation. The petitioner has got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and further considering the non-serious nature of injuries coupled with clean antecedent of the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-



1st Class, Araria/concerned court in connection with Bausi P.S.
Case No. 159 of 2023, subject to the condition as laid down
under Section 438(2) of the Code of Criminal Procedure and
other following conditions :

- (i) One of the bailors will be a close
relative of the petitioner.
- (ii) The petitioner will remain present on
each and every date fixed by the court
below, if so required by the learned trial
court.

(Arun Kumar Jha, J)

Ashish/-
Balmukund/-

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