

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46956 of 2024**

Arising Out of PS. Case No.-13 Year-2022 Thana- AMDABAD District- Katihar

Abdul Basir S/o Md. Abdul @ Md. Abdul Haque @ Abdulla R/o vill -
Baidhyanathpur, P.S .- Amdabad, Distt. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mrs.Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

3 25-09-2024 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 Amdabad P.S. Case No. 13 of 2022, registered on 11.01.2022 for the offences under Sections 341, 323, 307, 506 of the Indian Penal Code.

3. As per prosecution case, the allegation against the petitioner is that he assaulted the informant by bamboo log while informant was sleeping. The occurrence took place in the background of enmity of the petitioner with the shop owner of the informant where the informant was an employee.

4. Learned counsel for the petitioner submits that the petitioner the informant was assaulted while he was sleeping and he did not see the person who assaulted him and did not name the petitioner though he showed suspicion that due to



enmity the petitioner might have committed the offence. Learned counsel further submits that the informant is an addict of smack and has many enemies due to non-payment of borrowed money. The injury report though shows grievous injury but it is merely a laceration over the eye up 3"x1/2"x1/2" and cannot be said to be grievous. Learned counsel further submits that the matter has been compromised between the parties. Further, from perusal of the FIR and the injury report, no offence under Section 307 IPC is made out. The petitioner is having clean 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 doubtful nature of accusation against 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, Ist Class, Katihar/concerned court in connection with Amdabad P.S. Case No. 13 of 2022, 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)

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