

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53881 of 2024

Arising Out of PS. Case No.-410 Year-2019 Thana- PIRBAHOR District- Patna

Nabi Hussain @ Md. Nabi @ Rahat, S/o Mohammad Mustafa R/o Village
Ratauli Bithuna, P.S- Basantpur District siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashid Zafar

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 147, 148, 149, 323 and 307 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and is a young
boy aged about 27 years. It is next submitted that informant
alleges that he is a student of Patna University and is a hosteler
of Darbhanga House and has cleared SSC-GD, but physical test
is due. It is next alleged that on 04.08.2019 at 5.00 P.M., he was
preparing for his physical examination, while some students
were playing cricket when the ball hit his body stopped, on
which there was an altercation and accused persons of Iqbal



Hostel assaulted him by wicket causing injuries on head.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against the petitioner and though it is alleged that the accused persons including the petitioner assaulted him, but then, the injured suffered only one injury i.e. one lacerated wound on left occipital region and the injury was found simple. It is also submitted that the parties have compromised.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner and the fact the occurrence took place when petitioner was a student, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Pirmahore P. S. Case No.410 of 2019,



subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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