

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58944 of 2024

Arising Out of PS. Case No.-172 Year-2023 Thana- PIPRAKOTHI District- East Champaran

Md. Mahmood Alam @ Mahmood Alam Son of Late Mainuddin Miya
Resident of Village - Surajpur, P.S. - Piprakothi, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 03-10-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 427, 307, 504 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant on account of dispute relating to land of *Madarsa*. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant alleges that the accused persons including the petitioner came and assaulted. It is further submitted that as far as petitioner is concerned, he is alleged to



have assaulted Neshar by rod causing injury on head, thereafter he is alleged to have assaulted Kaish and Reyaz by *lathi*. It is next submitted that Neshar, Kaish and Reyaz were also assaulted by other accused persons as detailed in the FIR apart from the petitioner, but then from perusal of the injury report of Neshar, Kaish and Reyaz at Page 36, 38 and 40 of the anticipatory bail application, it would manifest that the injury suffered by them is simple in nature, which amply demonstrates that petitioner never had any intention of committing a serious occurrence. It is also submitted that it does not appear probable that the informant with such precision could have alleged that who assaulted whom and by what.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Piprakothi P.S.



Case No. 172 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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