

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64082 of 2024

Arising Out of PS. Case No.-147 Year-2024 Thana- DAGARUA District- Purnia

Md. Shahnwaz @ Md. Shahnawaz @ Sonu Son of Md. Akbar Resident of
Chandbhati ward no 13, PS- Dagarua District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Md Fazle Karim, Adv.
For the Opposite Party/s :	Mr. Abhay Kumar Roy, APP.
	Mr. Pramod Kumar Mallick, Adv.
	Ms. Anamika, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner, learned A.P.P. for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
379, 307, 504, 506, 354(B), 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 11.05.2024 at
about 06:00 P.M., minor daughter of the informant, aged about
16 years told the informant that the petitioner used to waylay
her with bad intention. Thereafter, when the informant went to
the house of the petitioner to make complain regarding the said
conduct to his family members, then family members of the
petitioner started abusing the informant. It is further alleged that
after one hour, family members of the petitioner, in furtherance



of common intention, entered the house of the informant and started assaulting the informant and his family members. Meanwhile, this petitioner gave iron rod blow on the head of the informant's son due to which he got injured. Co-accused Rahman snatched golden chain from the neck of his daughter and also took cash of Rs. 10,000/- from his house.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. Petitioner is not named in the FIR. There is no specific overt act against him. There is case and counter case between the parties. Both sides have sustained injuries. The injury sustained by the injured were found simple in nature. It is further submitted that petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner and



the injury sustained by the injured were found simple in nature, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Dagarua P.S. Case No. 147 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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