

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72163 of 2024

Arising Out of PS. Case No.-298 Year-2023 Thana- SONBERSHA RAJ District- Saharsa

Md. Sadab @ Sanobar @ Sonu @ Md. Shadab Alam Son of Md. Shafi Ahmed @ Md. Shafi R/O Vill.- Sonbarsa Raj, Ward no. 14, P.S.- Sonbarsa Raj, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar Singh

For the Opposite Party/s : Mr. Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Sonbarsa Raj P.S. Case No. 298/2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 427, 384, 379, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, petitioner is said to have assaulted on the back of the informant by means of knife.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. The petitioner bears no criminal antecedent. He further submits that



that though there is allegation against the petitioner to assault by means of knife on the back of the informant but no injury was found over the back of the informant, rather, the injuries which were found on the wrist and leg of the informant is attributed against other co-accused persons, which is evident from injury report as mentioned in Annexure-P/2 of the bail petition. He further submits that there is case and counter case between both the parties on the same date of occurrence and in this context, facts are generally exaggerated. In the light of aforesaid facts and circumstances of the case, no offence is made out against the petitioner under Section 307 of the I.P.C.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-



1st Class, Saharsa in connection with Sonbarsa Raj P.S. Case
No. 298/2023, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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