

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67506 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- SONO District- Jamui

Naushad Miya @ Md. Naushad, S/o Sudir Miya @ Samsuddin Miya,
Resident of Village - Gandar, P.S. Sono, Dist. Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Ranjan Singh

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

2. The petitioner seeks anticipatory bail in connection
with Sono P.S. Case No. 147 of 2023, registered for the offence
punishable under Sections 341/323/324/379/308/504/34 of the
Indian Penal Code.

3. As per F.I.R., allegation against the petitioner and
other co-accused is of assaulting the informant and informant
sustained injuries.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case. He
further submits that there is delay of three days in lodging the
F.I.R. which cause serious doubt. Petitioner has no criminal
antecedent mentioned in Para 3 of the bail application. He
further submits that in normal circumstances it cannot be



believed that a single person was being assaulted by 15 co-accused persons and informant was noticing separate act of each of them.

5. Learned APP for the State as well as learned counsel for the informant has opposes the prayer for bail and submits that from bare perusal of the F.I.R. specific allegation is against the petitioner who assaulted the informant by means of tangi on head due to which he sustained grievous injury.

6. Considering the aforesaid submission of the parties and also the injury was found to be grievous in nature, I am not inclined to grant anticipatory bail to the petitioner.

7. Hence, his prayer for anticipatory bail stands rejected.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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