

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73110 of 2024

Arising Out of PS. Case No.-20 Year-2023 Thana- BHELDI District- Saran

Mubarak Ali @ Mubarak Ansari @ Mobarak Ali Son of Taiyab Ansari R/O-
Village- Patrahi Kala, P.S.-Bheldi, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-11-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Bheldi P.S. Case no. 20 of 2023 registered for the offence punishable under sections 307, 379, 341, 323, 324, 504 and 34 of the Indian Penal Code.

3. As per allegation in the F.I.R, the informant states that over an altercation relating to cricket ball, it is stated that the petitioner and others assaulted the informant and his brother and started to hurl abuses. It is further stated that on the orders of Abbas Ansari the petitioner stabbed the informant in his stomach and back a number of times as a result of which he was seriously injured.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Referring to the injury report it is stated that the injuries have been found to be simple in nature and no case under section 307 of the Indian Penal Code is made out. It is for this reason that even chargesheet has not been submitted under section 307 of the Indian Penal Code. The dispute being trivial in nature, the petitioner having no criminal antecedent, anticipatory bail be granted.

5. The application for bail is opposed by learned APP for the State who submits that the petitioner is said to have stabbed the informant a number of times with a knife and the said allegation is supported by the injury report brought on record as Annexure P/3 to this petition.

6. Having heard learned counsel for the parties and taking into consideration the allegation of stabbing against the petitioner in the F.I.R., the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned Court below within a period of four weeks.

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(Partha Sarthy, J)

