

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72684 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- BALIA BELON District- Katihar

Md. Karim Son of Md. Hanif Resident of Village - Bijada, P.S.- Balia Belon,
District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 354, 379, 504, 506/34 and 307 of the Indian Penal Code.

3. Allegation against the petitioner is that he assaulted the informant by means of iron rod and also to outrage her modesty.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is case and counter case between the parties. He submits that the case of the petitioner is earlier than the informant's case but just to save their skin this false case has been filed by the informant. He submits that occurrence took place on 10.03.2024 but the FIR has been lodged on 18.03.2024 after delay of 8 days without explaining any reasonable cause of



delay. He submits that there is specific overt act against Md. Arif who assaulted the informant by means of knife on her head. He submits that there is no specific overt act against the petitioner. He submits that the injury report has not supported the prosecution case. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Balia Belon P.S. Case No. 34 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anjani Kumar Sharan, J)

