

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80631 of 2023

Arising Out of PS. Case No.-329 Year-2023 Thana- DHAKA District- East Champaran

1. Md. Rashid @ Rashid S/O Mobin Ansari Village- Madari Tola, Dhaka, Ps. Dhaka, Dist. East Champaran.
2. Sajid Ansari @ Sajid S/O Jobair Ansari Village- Madari Tola, Dhaka, Ps. Dhaka, Dist. East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Singh, Advocate
For the Informant/s	:	Mr. Gopal Govind Mishra, Advocate
		Mr. Ashutosh Kumar, Advocate
For the Opposite Party/s	:	Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Dhaka P.S. Case No. 329 of 2023 dated 17.06.2023, instituted
for the offence punishable under Sections 324, 307, 379/34 of
the Indian Penal Code.

3. The prosecution case, in short, is that on the date of
occurrence the petitioners entered into her house with intention
to kill her, caught her and pulled her down and gave a knife
blow on her neck, as a result, she received cut injury on her
neck. They also snatched gold chain from her neck.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and they have been falsely implicated in this case. It is submitted that F.I.R. has been lodged on 17.06.2023 and the date of occurrence is 12.06.2023. Lastly, it has been submitted that they have no criminal antecedents.

5. Learned counsel for the informant has opposed the prayer for bail and submitted that from perusal of *fardbeyan* it is apparent that the case has been lodged on 12.06.2023 on the date of occurrence, which has been forwarded on 13.06.2023 by Chhatauni P.S. Camp Rahmania Hospital to Dhaka SHO on the same day. It is submitted that there is specific allegation against both the accused persons who gave knife blow on her neck. The injury report of Nazibul Nesha (informant) shows that there are three injuries mentioned in the injury report which are as follows:-

(i). Stab injury on upper anterior neck i.e. 6"x1"x trachea injury.

(ii). Stab injury on right side chest ½" lateral to Sternoclavicular joint i.e. 1"x skin deep.

(iii). Stab injury on right shoulder i.e. 2"x skin deep.

Blow by the accused persons has led to injuries on the vital part of the victim i.e. neck and there is a trachea injury. Nature of injury is grievous.

6. Learned A.P.P. has opposed the prayer for bail of the petitioners.



7. Considering the aforesaid injuries of the informant,
I am not inclined to grant Anticipatory Bail to the petitioners.

8. Accordingly, Anticipatory Bail application of the
petitioners stands rejected.

(Khatim Reza, J)

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