

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82056 of 2024

Arising Out of PS. Case No.-401 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Pappu Miya @ Shamshad Ali @ Pappu S/o Islam Miyan Village- Rampur
Daud, P.S. Kuchaikote, District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 04-12-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner apprehends arrest in
connection with Kuchaikote P.S. Case No.401 of 2023
registered for the offence under Sections 341, 323, 307, 506/34
of the Indian Penal Code.

3. The allegation against the petitioner along
with other co-accused persons is to have assaulted the informant
by means of rod with intention to kill him. It is further alleged
that this petitioner also threatened the informant by means of
knife.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has falsely been implicated



in the present case. It is submitted that the specific allegation as regard to assault by means of rod is levelled against other co-accused persons and no specific allegation as regard to assault has been levelled against this petitioner. It is submitted that only allegation of threatening with knife is levelled against this petitioner as per FIR. It is also submitted that it appears from perusal of injury that upon the body of the informant only one swelling on left fore-arm and other lacerated wound on left parietal region was found by the doctor. It is submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer of bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner and as the specific allegation as regard to assault by means of rod is not levelled against this petitioner rather allegation of threatening with knife is there against the petitioner and as it appears from injury report that only swelling on left fore-arm and a lacerated wound on left parietal region was found by the doctor, where, the petitioner is a man of clean antecedent, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the



trial court within a period of six weeks from today on furnishing
bail bond of Rs.10,000/- (Ten Thousand) with two sureties of
the like amount each to the satisfaction of learned Chief Judicial
Magistrate, Gopalganj, in connection with Kuchaikote P.S. Case
No.401 of 2023 subject to the condition laid down under
Section 438(2) of Cr.P.C.

(Ramesh Chand Malviya, J)

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