

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86407 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- CHHAURADANO District- East
Champaran

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Dr. Rasid Anwar S/O Assadu Jama R/O Village- Hatdia, P.S. Chharadano
Dist. E. Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No. 2, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-03-2024 Heard Mr.Dhannjay Kumar No. 2, learned counsel

for the petitioner and Mr.Uday Chand Prasad, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Chhauradano P.S.Case No.154 of 2023,FIR
dated 23.05.2023 registered for the offences punishable under
Sections 147,148,149,341,342,323,324,308,387,506,504 and
379 of IPC.

3. Allegation against the petitioner is that he assaulted
to the informant with Farsa causing injury on his head.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Further submits that from a bare perusal of the FIR it appears



that there is allegation against the petitioner that he assaulted to the informant by means of Farsa, although the informant received three injuries but the injury report of the informant suggests that all the three injuries are simple in nature caused by hard and blunt substance.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation against the petitioner that he assaulted to the informant and apart from the aforesaid the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the anticipatory bail petition.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran in connection with Chhauradano P.S. Case No.154 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other



following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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