

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86236 of 2024

Arising Out of PS. Case No.-389 Year-2023 Thana- JOKIHAT District- Araria

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Afjal @ Md. Afjal S/O Quamruddin @ Bonka Resident of Village
-Bagdaraha, Ward No. 06, P.S. Jokihat District Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Vijay Kishore Bharti, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 20-12-2024 Heard learned counsel for the petitioner and learned

APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jokihat P.S. Case no. 389 of 2023 instituted for the offence under Sections 147, 148, 149, 341, 324, 307, 379, 354B, 504 and 506 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner assaulted Md. Asgar, father of the informant, with sharp ‘sword’ on the head.



4. Learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that from perusal of the injury report, it transpires that the injured namely, Md. Asgar received one injury i.e. sharp cutting, however, the injury is found to be simple in nature. Further submission is that there is also counter version of this case. It is further submitted that the occurrence took place on 03.08.2023 whereas the FIR has been lodged on 23.08.2023. There is delay of 20 days in lodging the FIR. Petitioner is having no criminal antecedent.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Jokihat P.S. Case no. 389 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, subject



to the conditions as laid down under section 438(2) of the
Cr.P.C.

(Ashok Kumar Pandey, J)

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