

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86216 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- SANDESH District- Bhojpur

Md. Arman Miyan @ Md. Arman, Son of Sadik Miyan @ Md. Sadik Miyan
Resident of Village - Narayanpur Ward No.10, P.S. - Sandesh, District -
Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Sandesh P.S. Case No. 29 of 2023 registered for the offences punishable under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, on 20.01.2023 people have come to meet the grandson of the elder brother of the informant for marriage but Md. Arman Miyan (petitioner) provoked them due to which marriage talk failed. When the elder brother of the informant came to know about this, he uttered bad words upon which all the accused persons including this petitioner variously armed assaulted him and when his

grandson came to rescue, they assaulted him also.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on some petty issues. It is submitted that there are general and omnibus kind of allegations and there is a case and counter case between the parties. Learned counsel submits that the injuries are simple in nature and the parties have settled their disputes amicably.

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

6. Having regard to the facts and circumstances of the case wherein there is a case and counter case between the parties, they are agnates, the alleged quarrel took place on some petty issues and there is a general and omnibus allegations against five named accused persons that they had assaulted the brother of the informant, however, as per instruction, learned counsel for the petitioner submits that the injuries are simple in nature and the parties have settled their disputes amicably, at this stage, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Sandesh P.S. Case No. 29 of 2023 on furnishing bail bond of Rs.

25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Bhojpur at Ara, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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