

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1895 of 2024

Arising Out of PS. Case No.-164 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

Emtiyaz Pawariya @ Emtiyaz Miyan son of Aliyar Pawariya Village-
Fakarabad, P.S.- Chainpur, Dist.- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner seeks regular bail in connection with
Chainpur P.S. Case No. 164/2023 lodged on 15.06.2023 under
Section 341, 323, 307, 379, 504 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against the petitioner alleging that he has assaulted the
informant for recovery of loan amount on his head by iron rod
and on his eyes by fists. Allegation of taking Rs.5,000/- is also
against the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. It itself
appears from the FIR that the informant has taken money and
with a view to returning the same, the petitioner was creating



pressure but with a view to save him from returning money this false case has been lodged. He further submits that the injury report annexed as annexure-2 to the petition reflects that there is no injury on the head rather the injury has been found on the eyebrow. The petitioner is in custody since 22.11.2023 having no criminal antecedent. The chargesheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Bhabua, Kaimur, in connection with Chainpur P.S. Case No. 164/2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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