

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26826 of 2025

Arising Out of PS. Case No.-452 Year-2024 Thana- SUPAUL District- Supaul

Md. Azam @ Md. Ajmetullah @ Azam S/o Late Abdul Jabbar @ Jabbar R/o
Village- Rahmaniganj, Ward No. 08, P.S.- Supaul, District- Supaul, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shamima Khatoon W/o Samiullah R/o Village- Rahmaniganj, Ward No. 08,
PS.- Supaul, District- Supaul, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar, Adv.

For the Opposite Party/s : Mr. Ravindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-08-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State Mr. Ravindra Kumar.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 109, 76, 303(2), 352, 351(2), 3(5) of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that a dispute arose in between her sister-in-law (Gotni) and her husband Nurullah, further brother (petitioner) of Juveda (sister-in-law of the informant) came and started abusing, on objection she called the named accused persons, it is next



alleged that petitioner assaulted Nurullah by an iron rod causing injury on head, thereafter Nurullah fell when all the accused assaulted and Sadre Alam acted inappropriately with the informant and other accused assaulted her father-in-law and brother-in-law and took away cash and jewellery as recorded in the FIR.

4. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute with sister of the petitioner with her husband, the occurrence is alleged to have taken place. It is also submitted that both side assaulted each other. It is next submitted that petitioner is alleged to have assaulted Nurullah by an iron rod on head but then the injury suffered by Nurullah on head is a swelling. It is next submitted that after Nurullah fell it is alleged that all the accused persons assaulted him leading to fracture of anterior wall of left maxillary sinus. It is further submitted that no doubt the doctor has opined the injury to be grievous but then the injury report does not specify that as to whether the injury suffered by Nurullah on head is also grievous or not when it is a mere swelling. It is also submitted that parties have compromised, as such no useful purpose would be served by sending the petitioner to jail.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Supaul P.S. Case No.452/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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