

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68526 of 2024

Arising Out of PS. Case No.-166 Year-2020 Thana- BATHNAHA District- Sitamarhi

Md. Shahabuddin @ Md. Shahabuddin Laheri @ Shahabuddin Laheri S/O
Samid Laheri Resident of Kamaldah, P.S- Bathana, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Md Fazle Karim , Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP
For the informant : Mr. Shankar Kumar , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioner, informant
and the State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341 , 323 , 324, 307, 504,
506 and 34 of the Indian Penal Code .

3 . As per the prosecution case , on the alleged date
and time of occurrence , when the informant had gone to
market, in the meantime this petitioner along with other co-
accused persons armed with sword, farsa , gun , iron rod etc



caught hold of the informant and co-accused Hussaini Laheri assaulted on the head of the informant with Dabiya due to which he sustained head injury . It is further alleged that this petitioner also assaulted one Gulam Mustafa with iron rod due to which he sustained injury .

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case . The present case is in retaliation to Bathnaha P S Case No. 160 of 2020 which was lodged by petitioners side against the informant and others and in order to save their skin from the aforesaid case , this false and concocted case has been lodged. Injury allegedly caused by this petitioner is simple in nature . As a matter of fact, on the alleged date and time of occurrence there was free fight between the parties in which both sides sustained injuries. It is further alleged that parties have also entered into compromise and filed compromise petition on 28.01.2023 in the Court below .

5 . Learned counsel for the State and informant opposed the prayer for bail and submitted that there is specific allegation against the petitioner that he assaulted the Gulam Mustafa with iron rod due to which he sustained injury and petitioner has got five criminal antecedents in which most of



them are of similar nature .

6. Considering the nature of accusation and also the fact that petitioner has got five criminal antecedents in which most of them are of similar nature , prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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