

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89165 of 2024

Arising Out of PS. Case No.-63 Year-2024 Thana- BARDAHA District- Araria

Shafique Ansari @ Tingal, Son Of Taslimuddin Ansari, Resident Of Village -
Bardaha Momin Tola, Ward No 10, P.S. Bardaha, District Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Naushaduzzoha, Advocate

For the Opposite Party/s : Ms. Anita Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-01-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Bardaha P.S. Case No. 63 of 2024, registered for the
offences punishable under Sections 191(2), 191(3), 190, 126(2),
115(2), 118(1), 303(2), 352, 351(2) of the Bharatiya Nyaya
Sanhita.

3. Allegedly all the FIR named accused persons
including the petitioner entered into the courtyard of the
informant and started abusing and assaulting. It is specifically
alleged that on the instigation made by co-accused Rukhsana
Khatoon @ Kaili, this petitioner assaulted the informant by
means of a sharp cutting weapon on her head, due to which she



sustained a serious injury.

4. Learned Advocate appearing on behalf of the petitioner contended that apart from the delay of seven days in lodging of the FIR, the injury report clearly suggests that the nature of injury is simple. It is further contended that in fact on account of a trifle, both the parties entered into a scuffle resulting into injuries to the persons of both the sides. Moreover, there is no allegation of repetition of causing assault against the petitioner. The petitioner bears fair antecedent and he undertakes that he will not indulge in such kind of activities in future.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the injury report clearly corroborates the prosecution case.

6. Regard being had to the submissions made on behalf of the parties and considering the genesis of the occurrence and the nature of the simple injury coupled with the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief



Judicial Magistrate 1st, Araria in connection with Bardaha P.S.
Case No. 63 of 2024, subject to the conditions laid down in
Section 438(2) Cr.P.C. with the further condition that one of the
bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

supratim/-

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