

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54477 of 2018

Arising Out of PS.Case No. -55 Year- 2018 Thana -KHUTAUNA District- MADHUBANI

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Anwarul Miya @ Anwarul S/o Wasil Miya @ Wasil Ansari @ Wasil
Resident of Village - Pariyagpur, P.S. - Khutauna, District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner, in the present case, is seeking anticipatory
bail in connection with Khutauna P.S. Case No. 55 of 2018 and
CRI Case No. 676 of 2018, registered for offences alleged under
Sections 341, 323, 385, 387, 504 and 506/34 of the Indian Penal
Code read with Section 25 (1-b)/ 26, 35 of Arms Act.

Learned counsel for the petitioner submits that it is a case of
false implication of the petitioner by the informant because of the
prior enmity. It is submitted that the allegations in the F.I.R. are
against Chintu Yadav and Chhedi Gothiya. The allegation is that
the money was demanded by Jay Parkash Yadav @ Chhotu @
Miya, Chhedi Gothiya and it was Chhedi Gothiya who pointed out



the Gun on the informant. On chase, said Chhedi Gothiya was arrested with loaded Gun which was handed over to the police. Learned counsel submits that this petitioner has got no criminal antecedent and nothing has been recovered from his possession. It is also submitted that the other co-accused persons have been granted bail by this Hon'ble Court.

Learned A.P.P. for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case, wherein the entire thrust of the allegation is against the co-accused and the petitioner has got no criminal antecedent, in case of his arrest or surrender within four weeks from today, let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. III, Jhanjharpur, Madhubani in connection with Khutauna P.S. Case No. 55 of 2018 and CRI Case No. 676 of 2018, subject to the conditions U/S 438(2) Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.OJha.

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