

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71660 of 2018

Arising Out of PS. Case No.-150 Year-2018 Thana- AKBARPUR District- Nawada

Mishri Kunjra Sabji Faros @ Md. Naeem, son of Suleman Mian, resident of Akbarpur Muslim Tola, Behind New R. Building, P.S. Akbarpur, District-Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Devendra Prasad Singh, Advocate.
For the Opposite Party : Mr. Binod Kumar 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 323, 447, 307, 379 and 504/34 of the IPC.

The prosecution story, in brief, is that two days earlier quarrel took place between the children which were pacified. On 04.06.2018 at about 9.00 A.M. the informant was sitting at his house. In the meantime, all the accused persons including the petitioner came at his house with *Lathi*, *Danda* and *Iron rod* and son-in-law of Suleman Mian namely Barik Sabji Faros started abusing him and when he forbade to do so, Suleman Miyan's son-in-law assaulted him with *Iron rod* on his head. Mishri



Kunjra Sabji Faros and Moieem Sabji Faros assaulted him with *Lathi* and in that course Mishri Kunjra Sabji Faros took away Rs. 500/- from his pocket and Moieem Sabji snatched gold *Tabiz* from his neck and gave threatening to dire consequences if he reported the matter to the police station.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The occurrence is said to have taken place on 04.06.2018 as to when F.I.R. was instituted on 11.06.2018. Delay has not been explained by the prosecution. Other co-accused has been granted anticipatory bail by this Court vide Cr. Misc. No. 52694 of 2018 order dated 11.09.2018.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Nawada, in connection with Akbarpur P. S. Case No. 150 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

