

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22757 of 2019

Arising Out of PS. Case No.-766 Year-2018 Thana- ARARIA District- Araria

MD. RAKIB @ RAKIB Son of Jasooruddibn @ Sk. Zahoor, Resident of
Village- Sisouna, P.S.- Araria, District- Araria.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar, Advocate
For the Opposite Party/s	:	Mr.A.K. Pandey, APP
For the Informant	:	Mr. Anil Prasad Singh, Advocate
		Mr.Pankaj Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 16-07-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner in the present case is seeking anticipatory bail in connection with Araria P.S. Case No. 766 of 2018 registered for the offences punishable under Sections 452, 307, 324/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that although in the first information report there are allegations that this petitioner had also caused knife injury on the neck of the informant but in course of investigation it has come that due to land dispute between two families, who are families of the step brothers, this petitioner and his entire family members including the daughter has falsely been implicated. It is submitted that in



course of investigation the witnesses have supported the allegations against Zed Raza who is son of this petitioner, however, in Paragraph 11, 12, 48 and 49 of the case diary the independent witnesses have stated that this petitioner has been falsely implicated. It is further submitted that the petitioner has got no criminal antecedent.

Learned counsel for the informant has opposed the prayer for anticipatory bail as according to him there is specific allegation against the petitioner and hence he does not deserve to get the privilege of anticipatory bail.

Learned APP for the State has perused the case diary and has submitted before this Court that the thrust of allegations are against the Zed Raja and in course of investigation there are witnesses who have stated that so far as this petitioner is concerned, he has been falsely implicated.

Considering the facts and circumstances of the case, wherein in course of investigation the witnesses have come forward to say that this petitioner has been falsely implicated though supported the allegations against his son Zed Raja, this Court is inclined to grant of anticipatory bail to the petitioner, let the petitioner above named, in case of his arrest or surrender within four weeks from today in connection with Araria P.S. Case No. 766 of 2018, be released on bail on execution of bail bonds of



Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Araria, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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