

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35854 of 2019

Arising Out of PS. Case No.-214 Year-2018 Thana- SINDHWARA District- Darbhanga

Md. Atique Ahmad @ Atique Ahmad, Male, aged about 68 years, Son of Late Mahmood Alam, Resident of Nasirganj Nista, P.S.- Singhwara, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagnnath Singh, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-08-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302/120B/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner, as per the FIR, is that a Panchayat had taken place about 10 months back prior to the date of occurrence in which a sum of Rs. One lac, as a fine amount, was awarded by the Panchayat against Abdul Kadir. Panchayat was headed by the petitioner. Informant has alleged that occurrence has taken place due to the decision of Panchayat which was presided over by the petitioner.

Learned counsel for the petitioner submits that there is no allegation against the petitioner in the FIR and he has merely been



implicated on the basis of the fact that he had presided over a Panchat in which a fine of Rs. One lac was awarded against Abdul Kadir. Learned counsel further submits that upon reading of the FIR as it is, there is no material to connect the petitioner with the alleged occurrence under Section 302 of Indian Penal Code.

Learned counsel for the petitioner further submits that the petitioner is innocent and has committed no offence and has been falsely implicated in this case on mere suspicion. There is no specific allegation against the petitioner and petitioner is about 80 years old.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Singhwara P.S. Case No. 214 of 2018 to the satisfaction of the learned A.C.J.M.-V, Darbhanga, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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