

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16499 of 2020

Arising Out of PS. Case No.-167 Year-2019 Thana- NIMCHAKBATHANI District- Gaya

Taslim Miyan @ Md. Taslim Ahamad @ Md. Taslim Ahmeda @ Taslim, aged about 35 years, (Gender – Male), Son of Badi Miyan @ Md. Iftexhar Ahamad, Resident of Village - Dharmuchak, P.S.- Neemchak Bathani, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma

For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-12-2020 Heard Mr. Saroj Kumar Sharma, learned counsel for the petitioner and Mr. Ajit Kumar, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner apprehends his arrest in connection with Neemchak Bathani P.S. Case No. 167 of 2019 registered for the offence punishable under Sections 147 / 341 / 342 / 323 / 324 / 307 / 379 / 504 of the I.P.C.

The allegation as per the First Information Report is that the petitioner along with other accused persons altogether 09 in number assaulted the informant by means of sword and iron rod.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and both the



parties are next door neighbours and there is previous litigation between them. Learned counsel further submits that the allegation against the petitioner and other accused persons are general and omnibus in nature. Relying upon the bail order dated 20.07.2020 passed in Cr. Misc. 17380 of 2020, learned counsel submits that other co-accused persons have been granted anticipatory bail by this court and the injury report of the victim was brought on record in that case and from perusal of that order it would be evident that injury caused to the informant was simple in nature.

Having regard to the submissions made by the parties and taking into consideration the fact that allegation against the petitioner is general and omnibus in nature, the injury caused to the informant is simple in nature and similarly situated accused persons have been granted anticipatory bail by this court, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Xth Gaya / court concerned in connection with Neemchak Bathani



P.S. Case No. 167 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

praful/-

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

