

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11666 of 2021

Arising Out of PS. Case No.-218 Year-2020 Thana- BARAUNI District- Begusarai

Md. Aabid S/O Tasalim @ Md. Tasalim Udin Resident of Village - Chakabali,
P.S. - Barauni, District - Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajit Kumar, Adv.

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2021 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 323, 341, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case is that when the informant was sitting at his door, all the FIR named accused persons arrived there and assaulted the informant with lathi, rod, bricks. Informant got injury and thereafter taken to the hospital for treatment.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is specific allegation of firing against co-accused, therefore, Section 27 of the Arms Act is not made



out against the petitioner. He submits that allegation levelled against the petitioner is general and omnibus in nature. He submits that petitioner bears no criminal antecedent as stated in para-3 of the bail application.

However, learned APP for the State opposes the prayer for bail and submits that there is specific overt act against the petitioner which is clear from the impugned order.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Barauni P.S. Case No. 218 of 2020 pending before the court of the learned Chief Judicial Magistrate, Begusarai.

(Anjani Kumar Sharan, J)

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