

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24977 of 2021

Arising Out of PS. Case No.-63 Year-2020 Thana- KANHAWLI District- Sitamarhi

ASAGAR ALI @ SHEKH ASAGAR S/o Shekh Halim R/o village-
Muhchatti, P.S.- Kanhauli, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
324, 307, 354, 504, 34 of the Indian Penal Code.

Allegation against the petitioner that he assaulted the
informant with farsa on his neck which hit him on head.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that similarly situated co-accused has been
granted bail by the learned court below on the basis of



compromise. 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 this bail application.

However, learned APP for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner of assaulting the informant by farsa.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Kanhauli P.S. Case No. 63 of 2020 pending before the court of the learned Chief Judicial Magistrate, Sitamarhi.

If the petitioner surrenders before the learned court below and pray for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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