

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34289 of 2020

Arising Out of PS. Case No.-25 Year-2020 Thana- PIYAR District- Muzaffarpur

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MD. ZUBAIR Son of Late Mehdi Hasan RESIDENT OF VILLAGE-
BAINGARI P.S.- PIAR (HATHRIYA), DIST- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Mritunjay Kumar Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 324, 307, 325, 379, 504,
506 and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused
persons surrounded the informant and when informant objected,
the accused persons assaulted due to which he sustained injury.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The petitioner has falsely been implicated in the



present case. General and omnibus allegation has been made against the petitioner. Specific allegation of assault is alleged against the co-accuseds namely Md. Aslam and Md. Obaid. There is a case and counter case between the parties. A free fight is alleged to have taken place. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Muzaffarpur in connection with Piar P.S. Case No. 25/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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