

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2821 of 2022

Arising Out of PS. Case No.-323 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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AFROZ ALAM Son of Ijahar Husain @ Sheikh Ijahar Hussain Resident of
Village- Baithania, P.S.- Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s	:	Mr. Jharkhandi Upadhyay, APP
For the Informant	:	Mr. Raghav Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-08-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 363, 365
and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that on 21.05.2021 while he was on his way to Bettiah in
connection with some work and when he reached Imali Chawk,
Chandan Kumar, who runs a medical shop took him to Sagar
Pokhra and from there he brought him to Sant Ghat and
thereafter to Mahavir Nagar, Naya Basti Muliidham, Bairiya,
where he was forced to sit in a car in which three persons were



also sitting before including Afroz Alam and other two were not known to him, it is next alleged that in the meantime, the father of the informant called him on his mobile which was received by the petitioner, who threatened the informant and his sister on mobile while talking to his father and thereafter left the informant at Haribatika Chowk.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the same is cryptic, vague and does not inspire confidence, it is next submitted that it absolutely does not stand to reason that as to why the petitioner would have allowed the informant to go after talking to his father, or why the informant would have talked to his father and thus would have created evidence against themselves, it is also submitted that informant and the petitioner was known from before and they were moving around and it appears that for some reasons best known to the informant, the present case came to be instituted when it is not even remotely suggested that informant in any way was harmed by the accused persons.

Learned APP for the State and the learned counsel for the informant vehemently oppose the prayer of anticipatory bail application of the petitioner, but are not able to meet the



submission of the learned counsel for the petitioner that the informant was not harmed in any manner. .

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bettiah Town P.S. Case No. 323 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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