

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4125 of 2022

Arising Out of PS. Case No.-58 Year-2021 Thana- UDAKISHUNGANJ District- Madhepura

MD SANIF @ SANFARAJ SON OF LATE MD. KHALIL KHAN
RESIDENT OF VILLAGE- UDAKISHUNGANJ, WARD NO. 06, P.S.-
UDAKISHUNGANJ, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 326, 307/34 of IPC and section 27 of the Arms Act.

Allegedly, the petitioner alongwith other accused persons assaulted the son of the informant with an intention to kill him.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to enmity and grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no



specific overt act against the petitioner. The allegation of firing is upon the co-accused Niyamul, which is evident from para-21 of the supplementary case diary. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Udakishunganj P.S. Case No.58 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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