

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8031 of 2022

Arising Out of PS. Case No.-26 Year-2021 Thana- PATHAMARI District- Kishanganj

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ARSHAD Son of Badarudin @ Mastaan Resident of Village- Sakinan Nunia
Tadi, Noori Chowk, P.S.- Pathamari, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Adv.

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 332, 353, 506 and 34 of the Indian Penal Code.

The allegation against the petitioner is of beating the informant with fist and slap, in association with other accused persons in the presence of the police officials.

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 political rivalry. No such occurrence, in the manner as alleged, has ever taken place. As per the narration in the FIR itself, the incident took place in presence of police officials but it is not possible to accept that the petitioner was not arrested on the spot while he was assaulting the informant. Petitioner has no criminal antecedent and similarly situated other co-accused has been granted on anticipatory bail by the learned court below itself.

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

Having regard to the facts and circumstances of the case, 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 connection with Pathamari P.S. Case No.26/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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