

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23057 of 2021**

Arising Out of PS. Case No.-275 Year-2020 Thana- NAANPUR District- Sitamarhi

MD SHAHNAWAZ S/o Md. Zubbair R/o village- Budhnagara, P.S.- Manpur,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Pushpendra Kumar Singh,

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 06-01-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defect(s) as pointed out by the office when called upon to do so by the office.

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

It is case of assaulting the informant's son, namely, Moiaz Akhtar and this petitioner caught hold the son of the informant and co-accused Shahabuddin inflicted dagger blow.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case



and only allegation against the petitioner is that he catch hold to the injured, namely, Moiaz Akhtar, son of the informant and specific allegation of assaulting by way of stabbing the dagger blow is against co-accused Shahabuddin and not this petitioner. Petitioner has got clean antecedent.

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

In the facts and circumstances of the case, there is no specific allegation against the petitioner of assaulting the informant's son and specific allegation of overt-act is against co-accused Shahabuddin and not against this petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four 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 Chief Judicial Magistrate, Sitamarhi in connection with Nanpur P.S. Case No. 275 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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