

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17065 of 2022

Arising Out of PS. Case No.-116 Year-2021 Thana- BIHAR District- Nalanda

MD.ABID@MD.ABID HUSSAIN Son of Md. Kalam @ Abul Kalam
Resident of Village - Baridargha Talabpar, P.s.- Biharsharif, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Adv

For the Opposite Party/s : Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-08-2022 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 section 147, 148, 149, 323, 337, 353, 307, 427, 504, 506, 153(A), 295(A) of I.P.C.

Allegedly, two groups were fighting and when the police tried to pacify the matter, the petitioner alongwith 35-40 unknown persons assaulted the police party.

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. 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. His name transpired in the present case on the basis of the statement of nearby persons. Similarly situated co-accused has been granted bail by a co-ordinate bench of this court vide order dated 06.01.2022 in Cr. Misc. No. 38740 of 2021 and vide order dated 07.01.2022 in Cr. Misc. No. 43263 of 2021. 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 similarly situated co-accused persons have been granted bail, 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 Bihar P.S. Case No.116 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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