

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.19090 of 2022

Arising Out of PS. Case No.-280 Year-2021 Thana- KADWA District- Katihar

Md. Alauddin Son Of Sukruddin R/O Village- Singalpur, P.S.- Kadwa,
District- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in Kadwa P.S.
Case No. 280 of 2021 registered for the offence under Sections
147, 148, 149, 341, 323, 324, 353, 188, 436, 307, 356, 171-GH,
379, 504, 506 of the Indian Penal Code.

Prosecution case, in short is that the accused persons were
making obstruction in election proceeding and in consequence
thereof, the occurrence of assault is alleged to have taken place
in which, CO, Uday Kant Mishra sustained injuries.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has been falsely implicated in the present case.



General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. A scuffle is said to have taken place at election booth between the police and accused persons. Altogether 40 named persons along with 200-250 unknown persons have been made accused in the present case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve 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, Katihar in connection with Kadwa P.S. Case No. 280 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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