

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29554 of 2022**

Arising Out of PS. Case No.-107 Year-2021 Thana- WARISNAGAR District- Samastipur

MD. SADDAM S/o Md. Usaman R/o village- Dhanhar, P.S.- Warisnagar,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 16-11-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 341, 342, 307, 504 and 506 of the Indian Penal Code & Section 27 of the Arms Act

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 07.05.2021 at about 09:00 am, while he was at his shop and was constructing his stairs, the named accused persons, including the petitioner, came variously armed and threatened not to construct stairs, it is next alleged that on the same day at 07:39 pm, all the accused persons, including the petitioner, assembled at the informant's shop and, thereafter petitioner and Md. Masuq Iqbal came on a motorcycle and fired but missed, thereafter they also fired at his brother but missed, further the Mukhiya tried to negotiate the



matter but the accused persons did not agree.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, it is next submitted that from bare perusal of the allegations as alleged in the FIR it would manifest that the allegation does not inspire confidence and appears to be concocted. It is further submitted that even allegation of firing is ornamental in nature as no one was injured.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Warisnagar P.S. Case No. 107 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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