

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31134 of 2022

Arising Out of PS. Case No.-23 Year-2016 Thana- KOTWALI District- Patna

SERAJ ANWAR S/o Late Sirajuddin Ahmad Resident of Flat No.603, Faizal Imam Compex, Tufail Regency, Block- C, Frazer Road, P.S.- Kotwali, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kotwali P.S. Case no. 23 of 2016 instituted for the offence under Sections 147, 149, 452, 379, 387, 120B of the Indian Penal Code.

As per allegation in the FIR, the petitioner along with other accused persons came to the place of occurrence and after breaking open the lock of the house of informant entered therein. The said fact came to be informed to the informant by his guard, whereupon he reached at his ancestral house situated at Boring Canal Road and identified the accused persons



including this petitioner. It is further alleged that when he asked them the purpose of having entered in his premises the said accused persons became belligerent and on putting him in to fear of death and threatening him otherwise also called a vehicle and took away all the house hold items which were at the said premises thereafter, the accused persons were fled away.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is general and omnibus allegation against this petitioner. It is further submitted that the name of the petitioner has been wrongly roped in this case. He has no concern with the property of the informant in any manner. It appears that the informant taking benefit on being advocate and implicated the petitioner only to threaten him. Similarly situated co-accused persons have already been granted anticipatory bail by co-ordinate bench vide dated 08.09.2016 in Cr. Misc. No. 19038 of 2016, Cr. Misc. No. 22482 of 2016 and Cr. Misc. No. 22854 of 2016 which are annexed as Annexure Series no.2.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this



Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kotwali P.S. Case no. 23 of 2016, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Patna subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

amandeep/-

U		T	
---	--	---	--

