

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50155 of 2022

Arising Out of PS. Case No.-388 Year-2017 Thana- SULTANGANJ District- Bhagalpur

Md. Samir @ Munshi S/O Late Md. Razzak Resident of Village- Kasimpur,
P.S.- Sultanganj, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Praveen Kumar, Advocate
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-12-2022 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 offence punishable under Sections 147, 149, 323, 341,
325, 307, 384, 385, 448 of the Indian Penal Code.

As per the F.I.R., the petitioner alongwith co-accused are
alleged to have assaulted the informant while he was
constructing the house. This petitioner alongwith co-accused
persons assaulted Haroon with *lathi* and *iron rod*.

It is submitted on behalf of petitioner that the specific
allegation of assault is against other co-accused persons.
Occurrence took place in the backdrop of land dispute. So far as
this petitioner is concerned, there is general and omnibus
allegation. Some of the other similarly situated persons have
already been granted anticipatory bail by this Court. Petitioner



has got no criminal antecedent. As per F.I.R., there is delay of 19 days in lodging the F.I.R. and there is no plausible explanation.

Learned counsel appearing for the State vehemently opposes the prayer for bail.

Considering the delay in lodging the F.I.R., in the event of arrest/surrender within six weeks from today, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned A.C.J.M. 1st, Bhagalpur, in connection with Sultanganj P.S. Case No. 388 of 2017, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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