

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10231 of 2021

Arising Out of PS. Case No.-52 Year-2018 Thana- NAYAGAON District- Begusarai

MD. NASIM, Son of Late Ibrahim @ Bhopali, Resident of Village Dariyapur,
Police Station - Naya Gaon, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 24-01-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in Naya Gaon
P.S. Case No.52 of 2018, registered for the offences punishable
under Sections 147, 148, 149, 342, 323, 353, 307, 224, 225, 504
and 506 of the Indian Penal Code.

The petitioner along with 52 persons named in the
FIR and 100 other unknown persons attacked on police
personnel and an accused of another case succeeded in
absconding from the clutches of the police.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that no independent witness has
come forward to support the case. The police in course of raid



started assaulting the villagers, therefore, the villagers made protest. It is further submitted that name of 52 persons have been given in the FIR, but the informant did not disclose how he has identified these persons.

Learned counsel for the State opposes the prayer for anticipatory bail of the petitioner and submits that the petitioner has got seven criminal antecedents. Paragraphs No.1, 2, 3, 4, 5, 6, 7, 8, 15 and 16 of the case diary support the prosecution case.

Considering the fact that the petitioner has got criminal antecedents and he succeeded in fleeing away from the custody of the police with the help of others, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for bail of the petitioner is rejected.

(Anjani Kumar Sharan, J.)

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