

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4952 of 2023

Arising Out of PS. Case No.-197 Year-2022 Thana- SAKRI District- Madhubani

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1. Md. Aaftab @ Aaftab Son Of Kamrul Haque Resident Of Village- Dahaura, P.S.- Manigachhi, District- Darbhanga
 2. Md. Maksood Son Of Hanif Resident Of Village- Dahaura, P.S.- Manigachhi, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no. 2 submitting that during pendency of this application the petitioner no. 2 has already been apprehended by the police.

Permission is granted.

Accordingly, this application with regard to petitioner no. 2 is dismissed as withdrawn.

Now this appeal is being heard only with regard to petitioner no. 1.

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 341, 504, 323, 324, 325, 307 and 34 of the Indian Penal Code.

Allegation against the petitioner is that he has assaulted the informant by fist and slaps.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that both the parties are relatives and due to minor issue, minor altercation was taken place between the parties and both sides have sustained injuries. There is no specific allegation against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is no specific allegation against the petitioner, let the above named petitioner no. 1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sakri P.S. Case No. 197 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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