

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5116 of 2023

Arising Out of PS. Case No.-512 Year-2022 Thana- TEKARI District- Gaya

BIRENDRA DAS @ BIRENDRA MOCHI S/o Late Judagi Das R/o Village-
Malheya, P.S.- Tekari, Distt- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-02-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Tekari P.S. Case No.512 of 2022, registered for the offences punishable under Sections 447, 448, 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The petitioner alongwith other co-accused persons are said to have entered into the house of the informant and assaulted the informant, his wife and son.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got one criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the informant and the petitioner are own brothers. It is submitted that the dispute arose due to partition of land and the



instant case has been lodged just to harass the petitioner as the informant was trying to encroach the land of the petitioner. It is submitted that no specific overt act is alleged against the petitioner. The allegation is general and omnibus.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Considering the fact that there is general and omnibus allegation against the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Gaya in connection with Tekari P.S. Case No.512 of 2022, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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