

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8090 of 2023

Arising Out of PS. Case No.-141 Year-2022 Thana- ISHAKCHAK District- Bhagalpur

MD. AFRIDI SABIR @ MD. GOLDI @ GOLDI SON OF MD. SABIR
ANSARI @ SABRU R/O MOHALLA- BHIKHANPUR, GOMTI NO. 3,
P.S.- ISHAKCHAK, DISTT.- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Masleh Uddin Ashraf, Adv.

For the Opposite Party/s : Mr.Ram Anurag Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 328, 307, 326, 302, 120B/34 of
the IPC and 27 of the Arms Act.

Allegation against the F.I.R. named accused persons
including the petitioner is of making firing in a 'baraat'
procession, out of jubilation, which caused injury to one Md.
Meraj, who died during treatment in hospital.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation



leveled against the petitioner is not specific rather general and omnibus in nature. The specific allegation of firing is against the co-accused Moon Khan @ Dakua and Md. Chhotu @ S.T. Khan. It is submitted that the name of petitioner has been inserted in the last line of first page of the fardbeyan by other pen, which shows that the name of petitioner has been dragged as an afterthought and this fact has also come in the impugned order. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, 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 Ishakchak P.S. Case No.141 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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