

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10352 of 2023

Arising Out of PS. Case No.-151 Year-2018 Thana- SIKTI District- Araria

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JUBER ALAM @ JUBER RAY Son of Sajjad Ray @ Sajjad Alam Resident
of Village - Bhat Tola, Kaliaganj, P.S.- Tedhagachh, District - Kishanganj.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 341, 323, 224, 353 and 379 of the Indian Penal Code and Section 37, 45 and 75(2) of Bihar Prohibition and Excise Act pending in the learned court below.

As per the prosecution case, all the 14 FIR named persons including the petitioner and 8-10 unknown persons forming an unlawful assembly and armed with deadly weapons reached there and assaulting the police party due to that the police persons sustained injury and the accused person set free the accused persons from lawful custody of the police party and as such they created hindrance the police persons from discharging their public duties.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 10.04.2023 passed in Cr. Misc. No. 5688/2023. He further submits that petitioner has got four criminal antecedents as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Sikti P.S. Case No.151/2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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