

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9626 of 2023

Arising Out of PS. Case No.-261 Year-2021 Thana- LAHERIYASARAI District- Darbhanga

Md. Nazibullah @ Rashid S/O Md Nurullah Master @ Md. Noorullah R/O
Mohalla- Shahsupan, P.S.- Laherisarai, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 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, 323, 354, 504 and 34 of the Indian Penal Code.

As per F.I.R., it is alleged that all the accused persons including the petitioner abused the informant's mother and demanded money for standing vehicle in the street. On protest, the accused persons pulled down informant's mother by snatching her hair. It is further alleged that the petitioner has outraged the modesty of the informant.

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 there is case and counter case between the parties. He submits that earlier co-accused Md. Afaque filed a case, thereafter, the present case is filed on behalf of the informant. 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 case and counter case between the parties, 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 Lakheriasari P.S. Case No. 261 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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