

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10568 of 2023

Arising Out of PS. Case No.-249 Year-2020 Thana- BIRPUR District- Supaul

1. Taariq Anwar, S/o Fajlu @ Fajlu Rahman, R/v- Shankarpur Ward No. 14, P.S.- Birpur, District- Supaul
2. Sahbaz @ Shahbaz Alam, S/o Fajlu @ Fajlu Rahman, R/v- Shankarpur Ward No. 14, P.S.- Birpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-04-2023 At the outset, learned counsel for the petitioner submits that anticipatory bail application with regard to petitioner No. 1 namely, Taariq Anwar has already been withdrawn *vide* order dated 16.03.2023.

Heard the parties.

Petitioner No. 2 apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

It is alleged that on 24.10.2020 at about 4:30 PM, while husband of the informant was returning to his home, after offering Namaz, all the accused persons including the petitioner took him in the backyard of his house and assaulted him by



means of shovel and after five days of the alleged occurrence, he died in the hospital during course of treatment.

Learned counsel appearing for the petitioner submits that allegation of assault is general and omnibus. Informant is not an eye witness of the occurrence and only on suspicion named the petitioner. Police after investigation submitted charge-sheet under Sections 341, 323, 504, 506 and 304/34. Petitioner has got clean antecedent.

Considering the aforesaid facts of the case, let the above named petitioner No. 2 namely, Sahbaz @ Shahbaz Alam in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-1st Class, Birpur at Supaul in connection with Birpur P. S. Case No. 249 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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