

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12215 of 2023

Arising Out of PS. Case No.-157 Year-2022 Thana- LAURIA District- West Champaran

Nazre Alam Son Of Late Asgar Ali R/O Kahua Tand, P.S.- Lauriya, Distt.-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Ms. Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-05-2023 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 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons including the petitioner came and abused, and assaulted the informant and his family members with iron rod, axe, *lathi* and *danda*.

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. There is case and counter case between the parties. He submits



that there is no specific overt act against the petitioner. There is specific allegation against co-accused persons, who assaulted informant's brother and the injury was found grievous in nature. Some of the co-accused have been enlarged on bail by this Court vide order dated 11.05.2023 passed in Cr. Misc. No. 11495 of 2023. 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 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 Lauriya P.S. Case No. 157 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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