

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13222 of 2023

Arising Out of PS. Case No.-608 Year-2022 Thana- BARHARA District- Bhojpur

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DHARMNATH BIN Son of Late Harihar Bin R/V- Naya Khawaspur, P.S-
Badhara (Kishnagarh O.P) Dist-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Diwakar, Advocate
For the State	:	Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with
Badhara (Krishnagarh O.P.) P.S. Case No.608 of 2022, registered
for the offences punishable under Sections 147, 148, 149, 341,
323, 307, 354(B), 448, 379, 504 and 506 of the Indian Penal Code
and Section 27 of the Arms Act.

The petitioner alongwith other co-accused persons
variously armed entered into the house of the informant and
assaulted the informant and his family members. Co-accused,
Narad Bin is said to have tried to outrage the modesty of the
informant's daughter.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no criminal



antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is general and omnibus allegation against the petitioner. It is submitted that occurrence took place on 12.08.2022 and FIR was lodged on 16.08.2022, after delay of four days without giving any explanation which creates a serious doubt on the veracity of the prosecution case. It is further submitted that in the impugned order, nature of injury is not mentioned.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Considering the fact that no specific overt act is alleged against the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara/Concerned Court in connection with Badhara (Krishnagarh O.P.) P.S. Case No.608 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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