

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16351 of 2023**

Arising Out of PS. Case No.-179 Year-2022 Thana- KAMTAUL District- Darbhanga

MD MAHTAB SON OF MD KHALIL RESIDENT OF VILLAGE-
BAGDHA, PS - KAMTAUL, DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 25-05-2023 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.

Learned counsel for the petitioner submits that petitioner has antecedent of two cases.

The informant alleges that Md. Khakhan threw a burnt cigarette on informant's grandson on which altercation took place between them, thereafter it is alleged that all the accused persons including the petitioner came variously armed and Najmul Hoda inflicted gandas blow on the head of the informant causing injury on his head and eye thereafter Md. Mahtab (petitioner) and Md. Mahboob are alleged to have indiscriminately assaulted the informant by means of iron rod and the accused persons also looted the house and ornament including cash of Rs.4,000/-.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that from perusal of Annexure-2 i.e. the injury report, it would manifest that the injured only suffered injury that too near the eye when it is alleged that the petitioner along with Md. Mahboob indiscriminately assaulted him. It is next submitted that the allegation of loot committed inside the house is an exaggerated version of the occurrence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the 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 released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Kamtaul P.S. Case No. 179 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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