

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18386 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- CHANPATIA District- West Champaran

IMTIYAZ ALAM @ IMTYAZ ANSARI Son of Mustaque Mian @ Mustaque
Ansari Resident of village-Puraina Jolaha Toli ward No. 03, Police Station-
Chanpatiya, District-West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Chanpatiya P.S. Case No. 05 of 2023 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 504, 506 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that on 02.01.2023 at about 12:00 hours in the night while he was coming from a birthday party and when he reached in front of the house of one Lal Mian @ Fajle Haque, all the accused persons including this petitioner surrounded him and started abusing and assaulting him. He further alleged that



Raza @ Ekbal Ahmad assaulted with iron rod on his head causing injury.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the specific allegation of causing assault is against co-accused Raza @ Ekbal Ahmad who is not before this Court.

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

Having regard to the submissions that the specific allegation of causing assault is against co-accused Raza @ Ekbal Ahmad who is not before this Court, the allegation against this petitioner is only general and omnibus and that the petitioner has no criminal antecedent, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 05 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

