

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33488 of 2023

Arising Out of PS. Case No.-173 Year-2022 Thana- DULHIN BAZAR District- Patna

MD. MUSTAQ ANSARI @ MUSTAQ ALAM @ MUSTAQ ANSARI Son of
Md. Islam Ansari Resident of Village - Alipur, P.S.- Dulhin Bazar, District -
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 06-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Dulhin Bazar P.S. Case No. 173 of 2022 registered for the offences punishable under Sections 341, 323, 504, 506, 379, 307/34 of the Indian Penal Code pending in the Court of learned Judicial Magistrate 1st Class, Danapur, District- Patna.

3. As per the prosecution case, the petitioner along with other co-accused persons entered into the house of the informant and assaulted her and her son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. He submits that the both the parties are agnate and due to property dispute they used to quarrel between them. He further submits that the informant alleged that the place of occurrence is inside her house whereas in her re-statement she has stated that the place of occurrence is near the house of the accused persons, which shows that the informant has not come with clean hand. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer of anticipatory bail and submits that, from perusal of the injury reported enclosed in the case diary, it appears that the injury was found grievous in nature. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the injury, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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