

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33588 of 2023

Arising Out of PS. Case No.-595 Year-2022 Thana- BAHERA District- Darbhanga

1. MD. EGRAM @ AFZAL @ MOHAMMAD EGRAM AHMAD MD. SHABBIR @ MD. SHABBIR AHMAD R/O Village Badarbanna, P.S.-Bahera, District-Darbhangha
2. MD SHAKIL @ MD SHAKEEL AHMAD SON OF MD SHABBIR @ MD SHABBIR AHMAD R/O Village Badarbanna, P.S.-Bahera, District-Darbhangha

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Madhusudan Kumar, Adv.
For the Opposite Party/s	:	Mr.Anant Kumar 1, APP
For the Informant	:	Mr.Pankaj Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-10-2023 Vide order dated 15.09.2023, this bail application with regard to petitioner no.2 was withdrawn. Accordingly, it is being heard today for consideration of prayer for bail of petitioner no.1 only.

2. Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

3. Petitioner No.1 apprehends his arrest in connection with Bahera P.S. Case No.595 of 2022, G.R. No.509/2022, registered for the offence punishable u/s 341, 323, 307, 379, 147, 148, 149 and 427 of the IPC and later on section 302 IPC was added.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that when the process was issued u/s 82 and 83 Cr.P.C., no any application was pending in the Court below or this Court. Petitioner has four criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that process u/s 82 and 83 Cr.P.C. has been completed against the petitioner and charge sheet was also filed showing the petitioner as absconder.

6. Having regard to the facts and circumstances of the case and considering that the process u/s 82 and 83 Cr.P.C. has been completed, I am not inclined to enlarge the petitioner no.1 on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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