

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38675 of 2023

Arising Out of PS. Case No.-533 Year-2022 Thana- BAHERA District- Darbhanga

Md. Naseer Ahmad, S/o Md. Ali Hasan @ Late Md. Ali Hassan, R/o Village-
Badarbanna, P.S- Bahera, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 31-07-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Bahera P.S. Case no. 533 of 2022 registered under sections 307, 147, 341, 323, 379 and 504 of the Indian Penal Code.

3. As per the prosecution case, the eleven named accused persons including the petitioner herein are said to have surrounded the informant and on the order of this petitioner, the other accused persons assaulted him with a sword and other weapons leading to grievous injuries.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He is described to be an order giver. He is a 79 years old man suffering from various ailments. No overt-act has been alleged



against him. There is case and counter-case between the parties.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and having perused the material on record, it transpires that besides the petitioner being named in the F.I.R., he has been described to be an order order. The doctor has found the injuries on the informant to be grievous in nature. In view of the facts of the case, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. In case the petitioner surrenders within a period of four weeks from today, the learned trial Court shall consider the application for regular bail of the petitioner without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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