

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36663 of 2023

Arising Out of PS. Case No.-12 Year-2023 Thana- MANJHAGARH District- Gopalganj

1. SARIQUE HUSSIAN @ SARIQUE MOSTTAAL @ SHARIQUE MASATTAL S/O MUZAFFAR HUSAIN R/O village- Pipra, P.S.- Manjhagarh, Dist-Gopalganj
2. KHALID @ PALE @ KHALID RASHID S/O BASHIR AHMAD R/O village- Pipra, P.S.- Manjhagarh, Dist-Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-08-2023 By the order dated 12.06.2023, this application was

dismissed as withdrawn with regard to petitioner no.1.

2. Now, this application is being pressed with regard to petitioner no.2 only.

3. Heard learned counsel for the petitioner and learned APP for the State.

4. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code pending in the learned court below.

5. As per the prosecution case, all the accused persons including the petitioner is said to have assaulted the informant by means of iron rod, iron fighter and knife as a result



of which he fell down on the ground. When his cousin came to rescue him, he was also assaulted by them.

6. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that there is specific allegation against the co-accused Sarique Hussain to assault the informant. He submits that the injuries found upon the victims are simple in nature. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

7. Learned APP for the State opposes for prayer for bail.

8. Considering the aforesaid facts and circumstances, let the petitioner no.2, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Manjhagarh P.S.



Case No.12 of 2023, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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