

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35573 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- HARLAKHI District- Madhubani

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1. MD. MANOWAR @ MD. MUNAWAR @ MD. MANAUWAR S/O SAKIL RAIN R/O Village- Itaharwa, P.S- Harlakhi, Distt.- Madhubani.
 2. Md. Kapil @ Md. Kafil @ Md. Moeenuddin S/O Md. Sakil Rain R/O Village- Itaharwa, P.S- Harlakhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 19-07-2023 1. Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 2, namely, Md. Manowar @ Md. Munawar @ Md. Manauwar.
2. Permission is accorded.
3. Accordingly, the prayer for anticipatory bail with respect to petitioner no. 2 is dismissed as withdrawn.
4. Heard learned counsel for the petitioner no. 1 and learned A.P.P. for the State.
5. The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 353, 332 and 333/34 of the Indian Penal Code.
6. Learned counsel for the petitioner no. 1 submits



that petitioner no. 1 is a person with clean antecedent.

7. The informant alleges that petitioner no. 1 along with 15-20 accused on 8-10 motorcycles came and blocked the vehicle of the informant while he was going to Excise Police Station, Madhubani with apprehended accused and created ruckus and further assaulted him and thus created obstruction in discharge of official duty.

8. Learned counsel for the petitioner no. 1 submits that petitioner no. 1 has been falsely implicated in the present case. It is further submitted that from bare perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation is alleged against the petitioner no. 1 when petitioner no. 1 admittedly is a person with clean antecedent.

9. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no. 1.

10. Considering the submissions made by the learned counsel for the petitioner no. 1, the petitioner no. 1 above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where



the case is pending/successor court in connection with Harlakhi
P.S. Case No. 15 of 2023, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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