

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40179 of 2023

Arising Out of PS. Case No.-20 Year-2022 Thana- BUDHUCHAK District- Bhagalpur

MD. USHMAN @SEIKH USHMAN SON OF LATE SEIKH MUBARAK
RESIDENT OF VILLAGE - KISHANDASPUR, MADARSA TOLA, PS-
BUDHUCHAK, DISTT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Rajdeep
	:	Mr. N.K. Agarwal
For the Opposite Party/s	:	Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 02-08-2023 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 149, 341, 307, 323,
325, 354(B), 379, 504, 506, 448 of the Indian Penal Code.

3. The informant alleges that accused persons including
the petitioner came and assaulted him, further, Samsad assaulted his
son (deceased) with an iron rod causing injury, thereafter, Sajid,
Wajid, Chand, Falal, Sehenshah, Kehnoor and Sheikh DM assaulted
his family members who came to save his son and Kehnoor snatched
Rs. 2,000/- from him and Wajid assaulted his wife and torn her
cloths.

4. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent.

5. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, it is next



submitted that from bare perusal of the allegations as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against the petitioner, it is next submitted that the petitioner is own brother of the informant and they are having dispute relating to property, as such, the petitioner was implicated without alleging any overt act.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Budhuchak P.S. Case No. 20 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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