

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43288 of 2023

Arising Out of PS. Case No.-222 Year-2019 Thana- BHARGAMA District- Araria

Zahid @ Jahid, Son of Najam, Resident of village - Bishahriya Akarthapa,
P.S.- Bhargama, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Bhargama P.S. Case No. 222 of 2019 (G.R. No. 3369/2019) dated 12.09.2019 registered for the offences punishable under Section 186 of the Indian Penal Code and Sections 25(1-b)a and 26 of the Arms Act pending in the learned Court below.

3. As per the prosecution story, the informant along with other police personnel were on duty to maintain law and order at *Bir Nagar Karbala* field. An altercation took place in between two parties during *Tajia procession*, owing to which the members of both side started assaulting each other with lathi, arrow-bow, farsa, sword. When the police party interfered then



these persons attacked on the police force due to which police personnel sustained injuries.

4. 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 similarly situated other co-accused persons have already been granted anticipatory bail by this Bench vide order dated 17.11.2022 passed in Cr. Misc. Nos. 39515 of 2022 and 48309 of 2022. He further submits that petitioner has got two criminal antecedents as stated in para-3 of the bail application.

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

6. Considering the aforesaid facts and circumstances, let the petitioner, 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 Bhargama P.S.



Case No. 222 of 2019 (G.R. No. 3369/2019), subject to the
condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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