

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44407 of 2023

Arising Out of PS. Case No.-303 Year-2022 Thana- BARGAINIA District- Sitamarhi

=====

TALMUN NESHA @ TAJMUL NISHA W/O SHERAJUL KHAN @
SHERAGUL KHAN R/O VILLAGE- TOLE JHAKHAR KHAN, PS.
BAIRGANIYA, DIST. SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr. Santosh Kumar
For the Opposite Party/s :	Mr. Sanjay Kumar Tiwary
	Mr. Noushad Khan

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-08-2023 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 452, 448/34 of the Indian Penal Code and 25(1-b)a, 26, 35 of Arms Act.

3. Allegedly, the petitioner and other co-accused persons entered into the house of the informant and co-accused Parvej Khan pointed out a pistol on the father of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the



petitioner. There is no recovery from the conscious possession of the petitioner. Petitioner has one criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Bairgania P.S. Case No. 303 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

