

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46471 of 2023

Arising Out of PS. Case No.-380 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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Seraj Ahmad S/O Late Ali Ahmad R/O Village- Takia Yakub, Ps. Gopalganj
Nagar, Dist. Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Thakur Brajesh Singh, Advocate
For the Opposite Party/s : Mr. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Gopalganj Nagar P.S. Case No. 380 of 2019 registered for
the offence punishable under Sections 307 / 34 of the Indian
Penal Code and 27 of the Arms Act.

3. As per prosecution case, a Panchayat was going on
at the door of Mukhiya Jee regarding money dispute between
Ajaz Ahmad @ Tuntun and Fakhruddin Sheikh and both side
started abusing and assaulting each other and when informant
along with other persons reached the spot, some unknown
person fired due to which informant and other persons were
injured.

4. Learned counsel for the petitioner submits that



petitioner is innocent, committed no offence and has falsely been implicated in this case. He further submits that the F.I.R. was filed against the unknown and no overt act has been attributed to the petitioner. During investigation he was implicated as a member of mob in this case due to village politics. There is no material against the petitioner. Petitioner has one criminal antecedent in which he is on bail.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Nagar P.S. Case No. 380 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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