

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49846 of 2022

Arising Out of PS. Case No.-268 Year-2022 Thana- LAHERIYASARAI District- Darbhanga

1. MD. DILSHAD Son of Hashmat Ali Resident of Village - Karamganj, P.s.-
Laheria Sarai, Distt.- Darbhanga.
2. Hashmat Ali Son of Late Mulla Kafil Resident of Village - Karamganj, P.s.-
Laheria Sarai, Distt.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Fahad Khurshid

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 27-02-2023 Heard both sides.

The petitioners apprehend their arrest in connection with Laheria Sarai P.S. Case No.268 of 2022, registered for the offences punishable under Sections 341, 323, 379, 354, 504 and 506 of the Indian Penal Code.

The allegation against petitioner No.1, Md. Dilshad is of making attempt to snatch purse from the niece of the informant and when the niece of the informant protested, she was assaulted by him. It is also alleged that when the informant went to the house of Hashmat Ali, petitioner no.2, father of petitioner no.1, the informant was assaulted by Hashmat Ali.

Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the specific allegation is against petitioner no.1, Md. Dilshad. No specific overt act is alleged against petitioner no.2, Hashmat Ali.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Considering the fact that there is specific allegation against petitioner no.1, Md. Dilshad, I am not inclined to enlarge petitioner no.1, Md. Dilshad on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to petitioner no.1, Md. Dilshad is hereby rejected.

So far as prayer for grant of anticipatory bail to petitioner no.2, Hashmat Ali is concerned, considering that no specific overt act is alleged against him, let petitioner no.2, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Darbhanga in connection with Laheria Sarai P.S. Case No.268 of 2022, subject to the



conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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