

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56323 of 2023

Arising Out of PS. Case No.-479 Year-2023 Thana- SITAMARHI District- Sitamarhi

MD. SHABIR SON OF MD. JMADAR R/O VILL- MEHSAUL GOT, PS-
SITAMARHI, DIST- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ranjeet Kumar Mishra
For the Opposite Party/s :	Mr. Md. Ataur Rahman
	Mr. Manoj Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-12-2023 Heard the parties.

2. The petitioner apprehends his arrest in connection with Sitamarhi P.S. Case No.479/2023, registered for the offence punishable under Sections 341, 323, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with other co-accused person assaulted the informant's side with deadly weapons.

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. 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. It is submitted by learned counsel for the informant that there is specific allegation against the petitioner to assault the mother of the informant due to which she sustained grievous injury.

6. Having regard to the facts and circumstances of the case as well as considering the nature of injury, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

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