

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58767 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- BUDHUCHAK District- Bhagalpur

Md. Lalu, male, aged about 30 years, Son of Sekh Madin, R/o Vill - Ekdara,
P.S. - Budhuchak, Distt. - Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party : Mr. Zainul Abedin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Budhuchak P.S. Case No. 38 of 2023 dated 21.05.2023, instituted for the offence punishable under Sections 341, 323, 353, 504, 506 & 34 of the Indian Penal Code.

3. The prosecution case, in short, is that the on 21.05.2023, the informant, who is a police official, conducted a raid in connection with Budhuchak P.S. Case No. 37 of 2023. In the said raiding team, Chowkidar, namely, Shankar Paswan was also a member to assist the raiding team in identifying the accused persons of that case. It is further stated that after the raid, the Chowkidar along with his son came to the police station and informed that the petitioner along with



other named co-accused and five unknown persons came to him and assaulted him because he had helped the raiding team to identify the petitioner. It is further alleged that the petitioner as well as other accused persons threatened the Chowkidar not to get persons identified and indicate their house etc.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. The allegation levelled against the petitioner is general and omnibus. It is further submitted that the petitioner has been dragged in this case due to prior disputes with the said Chowkidar. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Budhuchak P.S. Case No. 38 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



the learned S.D.J.M., Bhagalpur, subject to conditions as laid
down under Section 438(2) of the Criminal Procedure Code.

(Khatim Reza, J)

Gaurav Kumar/-

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