

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68430 of 2022

Arising Out of PS. Case No.-18 Year-2020 Thana- KAMTAUL District- Darbhanga

ALE HUSSAIN @ ALAM @ MD. ALAM S/O LATE BADRULZAMA
Resident of Village- Dharampur, P.S.- Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Iqbal Asif Niazi

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, in the presence of informant on 16.01.2020 building construction was going on in the mean time at about 10:00 A.M. Ale Hussain, Meraj, Md. Salim and Matin Asraf came near her under construction building abused her and also started demolishing the home by pulling out bricks from her under constructed building. On opposed they assaulted the informant and her family members.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus



allegation against the petitioner. He submits that there is admitted land dispute between the parties and the title suit is pending between the parties which is mentioned annexure-3 of the bail application. He further submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 06.09.2022 passed in Cr. Misc. No. 10282/2022. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Kamtaul P.S. Case No.18/2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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