

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61466 of 2022

Arising Out of PS. Case No.-216 Year-2021 Thana- BARAUNI District- Begusarai

MD. MUSTAFA @ MD. MUSTUFA S/o Late Md. Usman R/v- Nurpur, P.S.-
Barauni (Refinery OP), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha
For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 436, 307, 302/34 of the Indian Penal Code.

The allegation against the petitioner is that he alongwith other co-accused persons burnt the house of the informant in which two persons died and several sustained injuries.

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. He submits that the specific allegation is against co-



accused Md. Mokhtar, Mustafa and Chottu. He further submits that similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 23.03.2022 passed in Cr. Misc. No.15020 of 2022. Petitioner has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Barauni (Garhara OP) P.S. Case No.216 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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