

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63333 of 2022

Arising Out of PS. Case No.-220 Year-2022 Thana- HUSSAINGANJ District- Siwan

Sharique @ Sharique Raza S/O Izharul Haque Resident Of Village- Hathauri
Tola, Mahual, P.S.- Hussainganj, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amir Alam, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-04-2023 Heard Mr. Amir Alam, learned counsel appearing on
behalf of the petitioner and Mr. Harendra Prasad, learned APP
appearing on behalf of State.

2. The petitioner apprehends his arrest in connection
with Hussainganj P.S. Case No. 220 of 2022 registered under
Sections 341, 323, 324, 307, 34/504 of the Indian Penal Code.

3. The prosecution story, in brief, is that during the
Muharram period the rival group engaged in assaulting each
other. The specific allegation of assault is on the head of the
informant has been alleged against one co-accused Raju.

4. Learned counsel appearing on behalf of the
petitioner informs this Court that as per the allegation made in
the F.I.R., the petitioner was, at best, a member of mob. The
specific allegation of assault on the head of the informant is
against one co-accused Raju. Learned counsel further submitted



that a Co-ordinate Bench of this Court for similar allegation has released one co-accused persons namely Shahnawaj and Md. Arfin Akhtar vide order dated 23.02.2023 passed in Cr. Misc. No. 63162 of 2022.

5. Learned APP has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case nature of allegation made against the petitioner I am of the opinion that petitioner has made out a case to be released on bail.

7. Let the above named petitioner is directed to be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned A.C.J.M-IX, Siwan in connection with Hussainganj P.S. Case No. 220 of 2022(G.R. No. 3411 of 2022), subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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