

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69172 of 2023

Arising Out of PS. Case No.-251 Year-2023 Thana- BAHADURPUR District- Darbhanga

Md. Mustaque S/O Md. Mokim Resident Of Village-Mekana, P.S.-
Bahadurpur (Sonaki O.P.), Dist.-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
307, 504, 506/34 of the Indian Penal Code.

3. Petitioner along with other accused person are said
to have assaulted the informant with intention to kill him due to
which he sustained injury.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that there is no specific overt act against the
petitioner. He submits that the instant case is nothing but
counter blast of Bahadurpur P.S. Case No. 252 of 2023. He
submits that occurrence took place on 14.05.2023 but the FIR



has been lodged on 17.05.2023 after delay of 3 days without explaining any reasonable cause of delay. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and learned counsel for the informant opposing the prayer for bail submit that the injury found upon the victim is grievous in nature.

6. Considering the facts and circumstances of the case and the nature of injury, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Bahadurpur (Sonaki O.P.) P.S. Case No. 251 of 2023.

(Anjani Kumar Sharan, J)

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