

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70385 of 2022

Arising Out of PS. Case No.-45 Year-2018 Thana- KHAJEKALA District- Patna

MD SHAZAD @ MD SHAHZAD @ THAPA Son of Md Nasir R/o Near
Chhoti Bazar Mashjid, Lodi Katra, P.S- Khajekalan Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Adv.

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341/323/307/34 of the IPC.

Allegedly, petitioner and other F.I.R. named accused are
said to have assaulted on back side of the head of son of the
informant with intention to kill.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to ulterior motive.
No such occurrence, in the manner as alleged, has ever taken
place. The allegation leveled against the petitioner is not
specific rather general and omnibus in nature. Petitioner has two
criminal antecedent and two of the co-accused have been



granted anticipatory bail by the learned Court below itself as per Annexure-2 of the bail application, in which the Court below held that the injury was found simple in nature.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his 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 Khajekalan P.S. Case No.45/18, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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