

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67958 of 2022

Arising Out of PS. Case No.-132 Year-2022 Thana- CHAKAI District- Jamui

BAKSU MIAN S/O LATE CHAMAN MIAN Resident of village- Gouripur,
P.S.- Chakai, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-05-2023 Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 302, 307, 324 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, all the FIR named accused persons, including this petitioner, assaulted the informant and his family members as a result of which brother of informant died.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that from bare perusal of the FIR it is manifest that specific accusation of overt act is against other accused persons. Petitioner is at best alleged to be a member of unlawful assembly. Moreover, brother of the informant



sustained only three injuries though there is allegation that eight FIR named accused persons assaulted him. Petitioner has got clean antecedent.

Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail and submits that petitioner is named in the FIR and there is allegation that he along with other accused persons assaulted the informant and his family members as a result of which brother of informant died.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st class, Jamui in connection with Chakai PS case No. 132/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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