

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69333 of 2022

Arising Out of PS. Case No.-40 Year-2021 Thana- JALE District- Darbhanga

MIRZA ASADULLAH BAIG Son of Mirza Ansar Baig Resident of
Village/Mohalla- Mirzapur, P.S.- Jale, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 341, 354, 379, 34 of
the Indian Penal Code.

Allegedly, petitioner is said to have outraged the modesty
of the informant.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the
petitioner is false and baseless. There is case and counter case
between the parties. It is further submitted that petitioner is
falsely implicated in this case for creating pressure for
compromising the case in which Md Taz and his brother have



been made accused due to committing crime of firearm. There is inordinate and abnormal delay of 32 days in filing the FIR without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is delay in filing of FIR, 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 Jalley P.S. Case No. 40 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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