

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5046 of 2023

Arising Out of PS. Case No.-3 Year-2015 Thana- POTHYA District- Kishanganj

QUAMRUL @ QUAMRUL HODA Son of Ulfat Ali @ Late Ulfat Hussain
Resident of Village- Barasuhagi, Suhagi, P.S.- Pothiya, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha
For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 149, 341, 332, 333, 353, 307 and 504 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, informant got a secret information that on an accident some person were injured. The informant after informing his P.O. reached at the place of occurrence where he saw a Bolero has overturned. Seeing the informant the people who were present there started to break the Bolero. When the informant tried to stop them the people pushed the Bolero on the due to which the leg of Nageshwar was broken once again the informant tried to stop the people not



to commit such act but the people listen anymore and started to assaulted the police.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no motive to destroy vehicle which was lying middle on the road after accident and causing road jam or harm any person. He further submits that similarly situated other co-accused persons have already been granted bail by a bench of this Court vide order dated 29.11.2019 passed in Cr. Misc. No. 77725/2019 and vide order dated 16.11.2021 passed in Cr. Misc. No.9782/2021. He further submits that petitioner has got three criminal antecedents as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in



connection with Pothiya P.S. Case No.03/2015, subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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