

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73050 of 2022

Arising Out of PS. Case No.-16 Year-2019 Thana- PANCHRUKHI District- Siwan

MD. NAUSHAD @ NAUSAD S/o Mohammad Aslam R/v- Purani Quila
Pokhra, P.S.- Siwan Town, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam
For the Opposite Party/s : Mr. H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-04-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 302, 120(B), 34 of the Indian Penal Code.

As per the allegation, the petitioner is involved in the murder of the brother of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. The petitioner is not named in the FIR and has no role in the said occurrence. He further submits that at the belated



stage of the investigation, police roped the name of the petitioner saying that a person without giving his identity named the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the petitioner is also involved in the present case.

Having regard to the facts and circumstances of the case as well as from the perusal of case diary it is clear that there is no specific allegation against the petitioner, let the above named petitioner, be released on bail, in the event of his/her 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 Pachrukhi (Saray O.P.) P.S. Case No.16 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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