

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73814 of 2023

Arising Out of PS. Case No.-515 Year-2022 Thana- GARKHA District- Saran

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Naseem Alam @ Mumtaj Alam S/O- Manjur Alam Village- Sadhpur Ps-
Garkha Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-12-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in
connection with Garkha P.S. Case No. 515 of 2022 dated
08.08.2022 registered for the offence/s punishable u/ss 341, 323,
324, 506 and 307 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, when the informant
along with her son was sleeping in her house at night, the
petitioner along with the co-accused persons took the
informant's son out from their house and assaulted him with



knife and rod causing injury. When the informant woke up, then she didn't find her son in the house. On the information of villagers, she found her son lying in a field near the house of the co-accused, Manzoor Alam who had threatened to kill the informant's son.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The name of the petitioner has sprung up only on mere suspicion. There is general and omnibus allegation against the petitioner. It is further submitted that the victim did not raise any alarm while he was being taken out of the house at night. The informant is not the eyewitness to the alleged occurrence. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Saran at Chapra



in connection with Garkha P.S. Case No. 515 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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