

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78273 of 2023

Arising Out of PS. Case No.-296 Year-2023 Thana- PHULWARIYA District- Gopalganj

1. NOOR ALAM SON OF MUSTQUIM MIYA RESIDENT OF VILLAGE- SANGRAMPUR, PS- PHULWARIYA, DISTT- GOPALGANJ
2. IMRAN @ IMRAN KHAN SON OF NABI HASAN RESIDENT OF VILLAGE- SANGRAMPUR, PS- PHULWARIYA, DISTT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 342, 323, 307, 324, 504/34 of the Indian Penal Code.

3. Allegedly, the petitioners along with other co-accused persons surrounded the son of the informant and the petitioner snatched the key of his motorcycle. It is alleged that some of the co-accused persons assaulted him due to which he got injured.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather



general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that the specific allegation is against the co-accused Rahil @ Prince to assault the informant's son due to which he sustained grievous injury. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their 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) **each** 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 Phulwariya P.S. Case No.296 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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