

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79024 of 2023

Arising Out of PS. Case No.-278 Year-2022 Thana- PALASI District- Araria

Jasim @ Md Jashim S/O Late Aklim @ Aklil Village- Shyampur, Ward No. 12, Ps. Palasi, Dist. Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 341, 323, 324, 307, 354(B), 379, 504, 506 and 34 of the Indian Penal Code and later added Section 302 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioner along with other co-accused person Rozid is said to have assaulted Md. Sarfaraz and during the treatment he died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the occurrence took place 29.08.2022 and FIR lodged on 31.08.2022 after a delay of two days and there is no any explanation of it which creates serious



doubt about prosecution case. He submits that the house of petitioners due to dues money of accused persons not returned by the informant. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submits that the process under Section 82 & 83 have been issued against the petitioner. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that petitioner is the main assailant along with co-accused, I am not inclined to enlarge the petitioner on bail in connection with Palasi P.S. Case No. 278 of 2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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