

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7656 of 2023

Arising Out of PS. Case No.-107 Year-2022 Thana- ALOULI District- Khagaria

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1. Md Ansarul Haque @ Asrarul Haque S/O Md. Zainullabdin R/O - Jogia, Ward No- 13, P.S- Alaoli, District- Khagaria (Bihar)
 2. Md. Izharul Haque S/O Md. Zainul Aabdin R/O - Jogia, Ward No- 13, P.S- Alaoli, District- Khagaria (Bihar)
 3. Md. Sattar S/O Md. Shish R/O - Jogia, Ward No- 13, P.S- Alaoli, District- Khagaria (Bihar)
 4. Md. Tabrez @ Tabrez Alam S/O Md. Sattar R/O - Jogia, Ward No- 13, P.S- Alaoli, District- Khagaria (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Minnatullah

For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioners and
learned APP for the State.

Learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioners no. 1, 2 and 4 submitting that during pendency of this application the petitioners have already been apprehended by the police.

Permission is granted.

Accordingly, this application with regard to petitioners no. 1, 2 and 4 is dismissed as withdrawn.



Now this application is being heard only with regard to petitioner no. 3.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the petitioner along with other co-accused persons came at the door of the informant armed with weapons and started abusing and assaulting the informant with the intention of murder.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. He submits that there is specific allegation against co-accused Md. Ibrar, who have fired upon the injured. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.



Having regard to the facts and circumstances of the case, let the above named petitioner no. 3, be released on bail, in the event of his 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 Alaoli P.S. Case No. 107 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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