

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22642 of 2024**

Arising Out of PS. Case No.-280 Year-2022 Thana- BAHERA District- Darbhanga

Md. Shakil Son of Md. Islam Resident of Village- Badarbanna, P.S.- Bahera,
District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Chaubey Jawahar, Advocate

: Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and Mr.
Chaubey Jawahar, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bahera P.S. case No. 280 of 2022 instituted for the offences under Sections 147, 148, 341, 323, 325, 308, 379, 448, 427, 506 of the Indian Penal Code.

3. Prosecution case, in short, is that the petitioner and other co-accused persons entered the house of the informant and assaulted the informant and his family members causing injuries to them and while leaving they took away a number of



household articles with them.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. There is case and counter case between the parties. Learned counsel further submitted that injuries sustained are simple in nature and on non-vital parts of the body. The co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 02.08.2023 passed in Cr. Misc. No. 41102 of 2023. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, nature of injury and general and omnibus allegation against this petitioner, let the petitioner, above named, in the event of his arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Bahera P.S. case No.
280 of 2022, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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