

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36020 of 2024**

Arising Out of PS. Case No.-533 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

Minhaz @ Sallu @ Minhaz Ahmad Son of Mustak Ahmad Resident of
Village- Habibpur, P.S- Badahariya, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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

ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Motihari Town P.S. Case No. 533 of 2023 instituted for the
offences under Sections 447, 341, 323, 324, 307, 384, 427, 504,
506, 34, 120B of the Indian Penal Code and Section 27 of the
Arms Act.

3. Prosecution case, in short, is that, around 100
unknown accused persons including this petitioner armed with
deadly weapons started firing indiscriminately upon the



informant. It is further alleged that they also demanded Rs. 1 crore as extortion money.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Irsah Ali. The co-accused person has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 12.03.2024 passed in Cr. Misc. No. 14839 of 2024. 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. It has been submitted on behalf of the petitioner that the petitioner has three criminal antecedents but he is on bail in all the cases.

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, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months 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 Motihari Town P.S. Case No. 533 of 2023, 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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