

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44798 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- SINGHESHWAR District- Madhepura

Md. Rahul @ Md Imteyaz S/o Md. Taha @ Taha R/o Village-Sukhasan, P.S.-
Singheswar, District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Adv.
For the Opposite Party/s : Ms.Rina Sinha, APP

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

ORAL ORDER

2 28-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehend his arrest in connection with Singheshwar P.S. Case No. 01 of 2024 registered for the offences punishable under Sections 147, 149, 341, 323, 307, 332, 333, 337, 338, 353, 431, 504, 506, 511, 109 of the Indian Penal Code.

3. The prosecution case, in short, is that owing to an accident, the mob was protesting and blocked the road, When the police tried to pacify the matter, the accused persons started abusing and assaulting the Informant and the police party due to which they sustained injuries.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that there are 14 named and 50 unknown persons have been made accused in this case. Although, the petitioner is named in the F.I.R. but, there is no direct or specific allegation of any overt act against him rather the same is general and omnibus in nature. The specific allegation to instigate the mob is against co-accused Md. Ashok Alam @ Aasu. The petitioner was not present at the place of occurrence at the relevant time of occurrence. There is no injury report in the entire record which creates suspicion on the prosecution case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application.

5. Learned counsel for the petitioner further submits that the co-accused Md. Khalid @ Khalik @ Khalik Afroz and Md. Tasim @ Md. Tasim Raja have been granted anticipatory regular bail by this Court vide order dated 17.05.2024 passed in Cr. Misc. No. 37568 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner and the petitioner having no specific allegation of any overt act, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Singheshwar P.S. Case No. 01 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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