

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54605 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- MOUZAHDIPUR District- Bhagalpur

MD. AFTAB @ MD. AFTAB ALAM Son of Md. Chand Resident of village -
Moazzamchak, P.S. - Habibpur, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 27-02-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 307, 120B, 34, 302 of the Indian Penal Code and 27 of Arms Act.

3. The allegation against the petitioner is that he, in conspiracy with other co-accused persons killed the son-in-law of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. Petitioner is not named in the FIR but during the



course of investigation one person was apprehended and he disclosed that the petitioner was also involved in the alleged occurrence. He further submits that similarly situated co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court. Petitioner has six criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as similarly situated co-accused persons have been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his/her 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 Mojahidpur P.S. Case No.74 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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