

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58529 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- JOGBANI District- Araria

Md. Shamim Son of Md. Islam Resident of Village - Chanda Mohan, Ward
No. - 05, P.S.- Jogbani District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramesh Kumar Singh, Adv.
For the State	:	Mr. Nirmal Kumar Sinha, APP
For the Informant	:	Mr. Sanjay Kumar Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Jogbani P.S.
Case No. 49 of 2024 registered for the offences punishable
under Sections 341, 323, 324, 307, 354, 379, 504/34 of the
Indian Penal Code.

3. As per the prosecution case, the petitioner along
with other co-accused persons is said to have assaulted the
informant's side.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that



there is no specific overt act against the petitioner. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the injury sustained by injured person is found grievous in nature.

6. Considering the facts and circumstances of case and the nature of the injury, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that the petitioner has no criminal antecedent and there is land dispute between the parties.

(Anjani Kumar Sharan, J)

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