

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63687 of 2024

Arising Out of PS. Case No.-324 Year-2023 Thana- BELAGANJ District- Gaya

Md. Mumtaj Mian @ Md. Mumtaj Son of Late Samsuddin Mian @ Late Samsuddin Mina R/V-Village- Pathara, PS- Belaganj, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Shams Alam, Advocate
For the State : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 452, 307, 504 and 34 of the Indian Penal Code.

3. As per prosecution case, this petitioner is alleged to have provoked other accused persons, named in the F.I.R., to assault informant and her husband.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. As a matter of fact, due to land dispute between the parties, this false and concocted case has been lodged. It is further submitted that from bare perusal of the F.I.R. it is apparent that this petitioner is only alleged to have provoked other co-accused persons to assault informant and her



husband. There is no specific accusation of physical assault against this petitioner. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Belaganj P.S. Case No. 324 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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