

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72197 of 2023

Arising Out of PS. Case No.-192 Year-2022 Thana- DHAKA District- East Champaran

Ahamad S/O Anisur Rahman Village- Kushmahawa, Ps. Dhaka, Dist. East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 29-02-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 148, 149, 341, 323, 324, 307, 379, 342, 504 of the Indian Penal Code.

3. As per F.I.R., on 04.04.2022 at about 1:30 PM, while the informant was going to market and reached to the house of Aslam, all the accused persons including this petitioner assaulted him with *lathi-danda*, sword and cricket wicket causing injury to him and thereafter, they tied the informant with tree. It is further alleged that when cousin of informant tried to save him, he was also assaulted by accused persons and co-accused Sarfaraz and Faiyaz assaulted him with sword and snatched his mobile phone.

4. It is submitted on behalf of petitioner that as per F.I.R. itself, specific accusation of assault is against co-accused Sarfaraz and Faiyaz. So far as this petitioner is concerned, there



is general and omnibus allegation. There is case and counter case. Injuries are simple in nature. Some of the similarly situated co-accused persons, including co-accused Faiyaz, have already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 04.02.2023 passed in Cr.Misc. No. 56121 of 2022.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six 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 S.D.J.M., Sikarhana at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 192 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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