

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82479 of 2024

Arising Out of PS. Case No.-598 Year-2024 Thana- BARH District- Patna

Md. Raja Son of Md. Fakhruddin @ Phakao R/O Village- Hassanganj, P.O.
and P.S.- Barh, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 109, 352, 351(2), 3(5) of Bhartiya Nyaya Sanhita, 2023 and Section 25(1-b)(a), 26, 27, 35 of Arms Act.

3. As per the FIR, petitioner and other co-accused persons abused and assaulted the informant. On protest, co-accused Satyam Singh, tried to shot the informant. The accused persons followed the informant and made firing upon which local people gathered and snatched the said gun.

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. It is further submitted that the gun was also not found from the possession of the petitioner. There is case and counter case between the parties and no one has sustained any injury. Petitioner has two 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, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his 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 Barh P.S. Case No.598 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS, 2023.

(Anjani Kumar Sharan, J)

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