

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82513 of 2024

Arising Out of PS. Case No.-136 Year-2024 Thana- CHANDRADIP District- Jamui

Shafique Khan @ Md. Shafique Khan Md. Zabir Khan Resident of village -
Dinnagar P.S- Chandradeep ,District -Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, 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 103, 115(2), 126(2), 190, 191(2) and 352 of the Bhartiya Nyaya Sanhita.

3. As per the FIR, the petitioner and other co-accused persons abused and assaulted the nephew of the informant. He was chased away by the petitioner and others to his house, when the father of the informant tried to intervene, he was also assaulted by Md. Amir due to which he fell down on the ground and later on died.

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 only a member of the mob. The specific allegation is against co-accused Md. Amir. Petitioner has no 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/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 Chandradeep P.S. Case No.136 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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