

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82400 of 2023

Arising Out of PS. Case No.-183 Year-2020 Thana- PHULWARISHARIF District- Patna

MD. BADSHAH SON OF Munna Tala Chabhi Wala R/O VILLAGE- NAYA
TOLA, P.S.- PHULWARI SHARIF, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-01-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with Phulwari Sharif P.S. Case No.183 of 2020, registered for the offence punishable under Sections 341, 323, 379, 302, 504, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with other co-accused persons assaulted the informant and his brother due to which the brother of the informant died.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have 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 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 as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

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