

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86471 of 2023**

Arising Out of PS. Case No.-156 Year-2018 Thana- NAUHATTA District- Saharsa

Md Afroz Alias Md Sarfaraj S/o Md. Shahid R/o Village- Nauhatta, Ward no.
07, PS-Nauhatta, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munish Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 05-02-2024 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 341, 323, 308, 379, 504, 506/34 of the Indian Penal Code.

3. Allegedly, the petitioner along with other co-accused persons assaulted the informant's side with deadly weapons due to which they sustained injuries.

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. He submits that the occurrence took place on 13.10.2018 and the FIR has been lodged on 16.10.2018 i.e. after



a delay of three days, without giving any plausible explanation regarding the said delay which creates a doubt over the genuineness of the prosecution story. He further submits that the injuries are simple in nature. There is an admitted land dispute between the parties. Petitioner has one 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, 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 Nauhatta P.S. Case No.156 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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