

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1072 of 2024

Arising Out of PS. Case No.-343 Year-2023 Thana- FORBESGANJ District- Araria

Md. Imtiyaj S/O- Md. Salim R/O- Village- Doria Sonapur, Ward No.- 07,
P.S.- Simraha (FORBESGANJ) Dist.- Araria (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

For the Informant : Mr. Kumar Kaushlendra, Adv.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 28-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending his arrest in connection with Forbesganj (Simraha) P.S. Case No. 343 of 2023 dated 18.04.2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 302, 120B, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and co-accused person are alleged to have assaulted the informant's husband with a knife, sword and *garasa* and broke his hands and legs. The injured person was taken to hospital where he died during the course of treatment.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on account of village politics. The petitioner is not named in the F.I.R. The name of the petitioner has sprung in the confessional statement of the co-accused Mokin @ Md. Mokim. There is nothing against the petitioner except the confessional statement. Similarly situated co-accused has already been granted regular bail by this Court vide order dated 18.10.2023 passed in Cr. Misc. No. 67646/2023. The petitioner has clean antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Araria in connection with Forbesganj (Simraha) P.S. Case No. 343 of 2023, subject to conditions as laid down under section 438 (2) of the Code of Criminal Procedure, with further



condition:-

(i) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

U		T	
---	--	---	--

