

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.14719 of 2018**

Arising Out of P.S.Case No. -194 Year- 2017 Thana -KESARIA District-  
EASTCHAMPARAN(MOTIHARI)

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1. Shams Tanveer @ Shams Tanwir Ahmad S/o Azizullah @ Azizullah Rampuri, R/o Village- Rampur Kodar, P.S.- Kesariya, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR**  
**ORAL ORDER**

2      06-04-2018

Heard.

The petitioner apprehends arrest in connection with Kesariya P.S .Case No.194 of 2017 registered for an offence under Section 307 and other allied sections of the IPC as well as Section 27 of the Arms Act.

Allegation as per written report is that this petitioner and co-accused Azizullah @ Azizullah Rampuri caught hold of the informant and co-accused Shams Tavrej inflicted dagger blow on his head causing bleeding injuries.

It has been submitted that similarly situated co-accused Azizullah @ Azizullah Rampuri has been allowed anticipatory bail by one of the coordinate Bench of this Court in Cr.Misc.No.57103 of 2017. The allegation of causing dagger blow stands falsified from the injury report wherein, the doctor has



found simple injury caused by hard blunt substance. There is also a counter case bearing Kesariya P.S.Case No.197 of 2017 filed by one of the co-accused.

Learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for anticipatory bail is allowed. Let the above named petitioner in the event of his arrest or surrender before the court below within six weeks from today be released on anticipatory bail on furnishing bail bond of Rs.10,000/- ( ten thousand) with two sureties of the like amount each to the satisfaction of ACJM-XI, East Champaran at Motihari in connection with Kesariya P.S.Case No.194 of 2017, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

**(Sanjay Kumar, J)**

B.Kr./-

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