

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30198 of 2020

Arising Out of PS. Case No.-128 Year-2019 Thana- PHULWARIA District- Begusarai

MD. SHOYEB @ MD. SHOAIB ALAM S/o Late Md. Noor Hassan R/o
Vill.-Fulwaria (Paschim Mohalla), P.S.-Phulwaria, Distt.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar, Adv.
For the Opposite Party/s	:	Ms. Renu Kumari, APP
For the Informant	:	Mr. Sandip Kumar Gautam, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 09-02-2021 Heard learned counsel for the petitioner, learned counsel for the informant and Ms. Renu Kumari, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Fulwaria Town P.S. Case No.128 of 2019 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that this petitioner has no role to play in the alleged murder of the brother of the informant. It is submitted that the petitioner has no criminal antecedent and he has been made accused in this case without there being any



material against him.

Learned APP for the State and learned counsel for the informant have opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to have played a role in the alleged murder of the brother of the informant, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Prayer is, thus, refused.

In case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

The observation with regard to surrender in the court below within a period of four weeks from today shall not be construed as granting any interim protection to the petitioner for the aforesaid period.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

