

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37658 of 2020**

Arising Out of PS. Case No.-98 Year-2018 Thana- CHANDRADIP District- Jamui

MD. SHAHANSHAH AAJAM @ MD. SHAHANSHAH @
MD.SAHANSAH Son of Gurfan @ Mohammad Gufaran Ahamad R/o
Village- Arha, P.S.- Chandradeep, Distt- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 22-07-2021 Heard learned counsel for the petitioner and the
State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 379, 504/34 and 307 of the
Indian Penal Code.

Allegedly, while the informant was standing with his
Tempo near Arha More, the accused persons assaulted him. It is
also alleged that Rs. 5000/- was snatched away from the pocket
of the informant. The reason of occurrence is said to be
complaint made by the informant against the accused to his



father.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. For a petty reason, there was a free fight between the parties. Subsequently, during investigation, Section 307 of the Indian Penal Code was added. Except 307 of the Indian Penal Code, all the offences are triable by Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Jamui in connection with Chandradip P.S. Case No. 98 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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