

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4211 of 2021

Arising Out of PS. Case No.-656 Year-2020 Thana- TURKAULIYA District- East
Champaran

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ASGAR ALI @ ASGAR ALAM S/o Late Sagir Ahmad R/o village-
Jaisinghpur Tola Retwa, P.S.- Turkaulia, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shakil Ahmad Khan
For the State	:	Mr. Arjun Prasad, APP
For the Informant	:	Mr. Ram Adya Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2021 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Learned counsel for the petitioner is directed to remove
the defects, 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 147, 148, 149, 302 of the Indian Penal
Code and 27 of the Arms Act.

The prosecution case, in short, is that while the informant
was returning along with his brother from bazar, the accused persons,
variously armed, surrounded them and fired due to which the brother
of the informant received fire arms injury and later died.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. There is no allegation of assault alleged against the petitioner. The allegation of assault is alleged against co-accuseds, namely, Ehtashab Alam and Mustaque Ahmad.

On behalf of the State and informant, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner, above named, in the event of arrest/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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkaulia P.S. Case No. 656/2020, 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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