

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59818 of 2021

Arising Out of PS. Case No.-435 Year-2020 Thana- MAJHAULIA District- West Champaran

SHAMIM @ SHAMIM ALAM S/o Sheikh Shobrat @ Sheikh Saheb R/o
village- Semra Ghat, Ward No. 2, P.S.- Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra

For the Opposite Party/s : Mr. Mohammad Sufiyan, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 399, 400, 402, 411, 413, 414 of the
Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution allegation, in short, is that loaded
arms and motorcycles are recovered from the accused persons.

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. Arms are said to have been recovered from the



possession of the co-accused. The name of the petitioner has transpired on the basis of disclosure made by the co-accused. There is no incriminating articles recovered from the possession of the petitioner. Except for this, there is no other substantive evidence to suggest his implication in the present case.

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

Considering the aforesaid facts and circumstances, let 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 435 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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