

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12641 of 2022

Arising Out of PS. Case No.-121 Year-2021 Thana- CHANPATIA District- West Champaran

SAIF ALI S/o Akbar Ali @ Akabar Ansari @ Akbar Miyan R/o Vill-
Lakhaura Dabauliya, P.S.- Chanpatia, Dist- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-03-2022 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.

The petitioner is apprehending his arrest in Chanpatia
(Kumarbag O.P.) P.S. Case No. 121 of 2021 registered under
Sections 412, 413, 414, 34 of the Indian Penal Code and
Section-25(1-b)a, 26, 35 of the Arms Act.

Prosecution case in short is that the co-accused was
apprehended with arms, who disclosed that he along with the
petitioner and others committed theft.

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

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, 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 furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Chanpatia (Kumarbag O.P.) P.S. Case No. 121 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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