

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31264 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- BARURAJ District- Muzaffarpur

MD. SHAMSHER ALAM S/O MD. MUSLIM @ MD. MUSLIM MIYAN
R/o village- Birahima, P.S.- Baruraj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jyotsna Rani Mishra, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-02-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defect(s) as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 399 and 420 of the Indian Penal Code and Sections 25(1-b) a, 26 and 35 of the Arms Act.

Prosecution case is that the police arrested co-accused Md. Sabir and from his possession, one pistol and one cartridge were recovered.

It is submitted by learned counsel for the petitioner



that the petitioner has falsely been implicated in this case. He further submits that the name of the petitioner along with others was disclosed by the co-accused Md. Sabir who confessed his guilt. He further submits that the petitioner has neither concern with co-accused Md. Sabir nor that occurrence. Petitioner has clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four 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 Sri Mahendra Mishra, Judicial Magistrate, Ist Class, Muzaffarpur in connection with Baruraj P.S. Case No. 10 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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