

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40257 of 2021

Arising Out of PS. Case No.-90 Year-2019 Thana- MADHUBAN District- East Champaran

SHIVJEE SAH Son of Bijan Sah Resident of Village- Dihu Tola, P.S.-
Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh
For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Madhuban P.S.
Case No.90 of 2019, registered for the offences punishable
under Sections 307, 506, 34 of the Indian Penal Code and
Section 27 of the Arms Act.

Some unknown person caused firearm injury at the
back of the informant. The petitioner and others are suspected as
they were in inimical term with the informant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that there is no eye witness
in the present case and similarly situated another co-accused
person, namely, Geeta Devi has already been enlarged on



anticipatory bail vide order dated 30.06.2020, passed in Cr. Misc. No.3525 of 2020. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph 3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Since there is no direct material against the petitioner which is evident from perusal of the impugned order also, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran, Motihari in connection with Madhuban P.S. Case No.90 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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