

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33240 of 2022

Arising Out of PS. Case No.-772 Year-2020 Thana- ARARIA District- Araria

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SHAMSHER @ ASODO @ SAHDO @ SAHADAT S/o Mir Kalim @ Mir
Kallar R/o village- Mahisakol Ward No. 09, P.S. and Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 394 of the Indian Penal
Code.

The informant alleges that he was intercepted by three
motorcycle borne criminals who looted Rs. 9,500/-, mobile along
with some parcel and even assaulted for which he was treated at a
hospital.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent. Learned counsel further submits
that the FIR was against unknown, during the course of investigation,
one Shahnawaz was arrested with looted articles who disclosed the
name of the petitioner. Learned counsel next submits that the name of
the petitioner transpired in the confessional statement of co-accused



in police custody, as such, the same does not have any evidentiary value, it is also submitted at the cost of repetition that petitioner is a person with clean antecedent and is not evading the law rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Araria P.S. Case No. 772 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned Trial Court is directed to forthwith send a copy of this order to the concerned P.S.

(Satyavrat Verma, J)

HarshPandey/-

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