

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49525 of 2021

Arising Out of PS. Case No.-78 Year-2020 Thana- BELSAND District- Sitamarhi

MD. SHAHID HUSSAIN Son of Md. Zahid Hussain Resident of Village -
Madhopur (Sultanpur Thahar), P.S.- Runnisaidpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha, Advocate

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-06-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 341, 323, 324, 307,
379, 504/34 of the Indian Penal Code.

The allegation against the petitioner is that he along with
other accused person for a denial to pay extortion money,
stabbed the informant with a knife to kill him.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The alleged
occurrence took place on 09.07.2020 but the FIR has been
instituted on 27.07.2020 i.e. after a delay of 18 days and the said



FIR was received in the Court after a delay of six days and no plausible explanation has been given for such delay, which creates serious doubt about the prosecution case. Petitioner has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, considering the delay in lodging the FIR, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Belsand P.S. Case No.78/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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