

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17251 of 2023**

Arising Out of PS. Case No.-975 Year-2022 Thana- SIKARPUR District- West Champaran

SABROSH AKHTAR @ SHAIKH SABROZ AKHTAR SON OF SHAIKH
SOHAIL AKHTAR @ SOHAIL AKHTAR @ MD SOHAIL AKHTAR
RESIDENT OF VILLAGE BARWA BARAULI, POLICE STATION
SHIKARPUR DISTRICT WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abu Nasar, Adv
For the Informant	:	Mr. Ramakant Sharma, Sr. Adv
		Mr. Sanjeev Kumar Shrivastava, Adv
For the Opposite Party/s :		Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 24-07-2023 Heard learned counsel appearing on behalf of the

petitioner, learned senior counsel appearing on behalf of the

informant as well as learned APP for the State.

2. Learned counsel for the petitioner seeks permission to

make necessary corrections in para-3 of the bail application in

course of day.

3. Permission is granted.

4. The petitioner apprehends his arrest in a case registered

for the offence punishable under Sections 302, 307, 34 and

120B of the Indian Penal Code.

5. Petitioner along with other co-accused persons are said to

have been involved in the murder of the son of the informant.



6. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He has been made accused in the present case on the basis of suspicion. He further submits that similarly situated co-accused has been granted anticipatory bail by this Court in Cr. Misc. No.18871 of 2023 vide order dated 06.07.2023. Petitioner has two criminal antecedent.

7. Learned APP for the State as well as learned senior counsel for the informant opposed the prayer for anticipatory bail by submitting that the petitioner is also involved in the present case.

8. Having regard to the facts and circumstances of the case, 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 Shikarpur P.S. Case No.975 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. However, learned Court below is directed to verify the criminal antecedent of the petitioner. If it is found that the petitioner has more than two criminal antecedents, then his bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

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