

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18871 of 2023

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

Shaikh Sohail Akhtar @ Sohail Akhtar @ Md. Sohail Akhtar Son Of Late
Shaikh Zahur @ Mohammad Jahur R/O Village- Barwa Baruali, P.S.-
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. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner, learned senior counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302, 307 read with Section 34 and 120B of the Indian Penal Code.

Petitioners along with other accused persons are said to have committed murder of the son of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the petitioner was admittedly not present at the place of occurrence and the solitary basis on which his complicity has been drawn in this case is his suspected name in hatching conspiracy for commission of the crime in question. He submits that there is no specific overt act against the petitioner. He further submits that petitioner has two criminal



antecedent as stated in para-3 of this application.

Learned APP for the State and learned senior counsel for the informant oppose the prayer for bail and submit that the petitioner has suppressed the criminal antecedent as he has five criminal antecedents.

Considering the facts and circumstances of the case, let the above named petitioner 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 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 condition as laid down under Section 438 (2) of the Cr.P.C.

However, if the learned court below after verification finds that the petitioner has more than two criminal antecedents, the bail bond of the petitioner shall not be accepted.

devendra/-

(Anjani Kumar Sharan, J)

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