

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30445 of 2023

Arising Out of PS. Case No.-309 Year-2021 Thana- BASANTPUR District- Siwan

Shamsad Alam @ Shamsad Ali son of Gafar Miyan Village- Parauli Ps-
Basantpur Lakdi Naviganj OP Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar Srivastava

For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 25(1-b)A 26, 35 and 27 of the Arms Act pending in the learned court below.

3. As per the prosecution case, petitioner along with other co-accused persons is said to have fired upon the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioner. He submits that there is no specific overt act against the petitioner. He further submits that petitioner is made accused on the basis of the confessional



statement of the co-accused who was apprehended by the police. He submits that there is no recovery from the conscious possession of the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Basantpur (Lakari Nabiganj O.P.) P.S. Case No.309 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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